




DATE: October 17, 2011

TO: Board of Water and Soil Resources' members, Advisors, and Staff

FROM: John Jaschke, Executive Director 

SUBJECT: BWSR Board Meeting Notice - October 26, 2011

The Board of Water and Soil Resources (BWSR) will meet on Wednesday, October 26, 2011, beginning at 9:00 a.m. The meeting will be held in the lower level Board Room at 520 Lafayette Road N., St. Paul. Parking is available in the lot directly in front of the building (use hooded parking areas).

The following information pertains to agenda items:

COMMITTEE MEETINGS

Dispute Resolution Committee

1. **Hearing on Wetland Conservation Act Appeal of Exemption and No-Loss Determinations/Restoration Order Waseca County, File #11-2 and File #11-3** –The Dispute Resolution Committee conducted the hearing on October 13, 2011. Information on this agenda item will sent under separate cover. **DECISION ITEM**

Southern Water Planning Committee

1. **Minnesota River Board, Fiscal Year 2012 Work Plan and Grant** – This work plan is for BWSR oversight of administrative funding related to the efforts of the Minnesota River Board (MRB), formerly known as the Minnesota River Basin Joint Powers Board. The 2011 Minnesota Legislature appropriated administrative funding for the MRB, resulting in a fiscal year 2012 State General Funds grant of \$42,000. The overall budget objectives are included in the work plan. Staff recommends approval of this work plan and execution of the administrative grant agreement for fiscal year 2012. **DECISION ITEM**
2. **Rock County Local Water Management Plan Amendment** - By Board Order, the Board of Water and Soil Resources (Board) approved the Rock County 2006 - 2017 Comprehensive Local Water Management Plan (Plan) on December 20, 2006. This Plan contains an implementation section with goals, objectives and actions to address the county's priority concerns. The Board Order required Rock County to update the Plan's implementation section by January 1, 2012. Rock County followed the amendment process guidelines established by the Board and submitted their 2011 - 2017 Local Water Management Plan Addendum on September 22, 2011. The Board's Southern Water Planning Committee (Committee) met on October 13, 2011 to review the Rock County Plan Addendum. The Committee recommends approval of the Rock County 2011 - 2017 Local Water Management Plan Addendum. **DECISION ITEM**

Bemidji

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(218) 755-2600

Brainerd

1601 Minnesota
Drive
Brainerd, MN 56401
(218) 828-2383

Duluth

394 South Lake Ave.,
Room 403
Duluth, MN 55802
(218) 723-4752

Fergus Falls

1004 Frontier Drive
Fergus Falls, MN
56537-2505
(218) 736-5445

Marshall

1400 East Lyon
Street
Marshall, MN 56258
(507) 537-6060

Mankato

1160 Victory Drive S.,
Suite 5
Mankato, MN 56001-5358
(507) 389-1967

New Ulm

261 Highway 15
South
New Ulm, MN 56073
(507) 359-6074

Rochester

2300 Silver
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3. **Winona County Local Water Management Plan Update** - Winona County submitted their Local Water Management Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Update to the Board for final State review June 9, 2011. On October 13, 2011 the Board's Southern Water Planning Committee (Committee) reviewed the recommendation of the state review agencies regarding final approval of the Winona County Local Water Management Plan Update. The Committee recommends approval. The Findings of Fact, Conclusions and Order are drafted for the full Board to review and take action on. **DECISION ITEM**

RIM Reserve Management Planning Committee

1. **RIM-WRP Payment Rates** – The RIM Reserve Management Planning Committee (RRMPC) met on October 14, 2011, to review and recommend authorization for staff to successfully implement the RIM Reserve and RIM-WRP Partnership payment rates consistent with other relevant Board policies. **DECISION ITEM**
2. **RIM-WRP Environment and Natural Resources Trust Fund Allocation** – The RRMPC met on October 14, 2011, to review and recommend authorization of the \$1.645M allocation of Environment and Natural Resources Trust Fund (ENRTF) to the RIM-WRP partnership to be used in the NRCS approved MRBI-WREP Crooked Lake project in Douglas County. **DECISION ITEM**
3. **RIM Red River Wetland Restoration Initiative** – The RRMPC met on October 14, 2011, to review and recommend authorization of the allocation of up to \$5M in Capital Budget RIM Reserve Funds to the NRCS approved Wetland Conservation Initiative for the Red River of the North Watershed. **DECISION ITEM**
4. **RIM Partners in USDA NRCS Mississippi River Basin Initiative (MRBI) Wetlands Reserve Enhancement Program (WREP)** – The RRMPC met on October 14, 2011, to review and recommend authorization of up to \$5M in capital budget RIM Reserve funds to the NRCS approved Mississippi River Basin Initiative-Wetlands Reserve Enhancement Program (MRBI-WREP) in three approved project areas. **DECISION ITEM**
5. **RIM Reserve Outdoor Heritage Fund (OHF) Shallow Lakes Shoreland Protection on Wild Rice Lakes Project** – The RRMPC met on October 14, 2011, to review and recommend authorization of \$1.891M in Outdoor Heritage Funds (OHF) to the RIM Reserve Shallow Lakes Shoreland Protection on Wild Rice Lakes Project. **DECISION ITEM**

OLD BUSINESS

1. **Clean Water Fund/Outdoor Heritage Fund RIM Reserve Riparian Buffer** – The RRMPC met on October 14, 2011, to review the ranking process and timeline. **INFORMATION ITEM**

NEW BUSINESS

1. **Ag Wetlands – WCA/Swampbuster BWSR/NRCS Implementation Agreement** – On September 21, 2011, the BWSR and the USDA-Natural Resources Conservation Service (NRCS) signed an agreement to coordinate the implementation of the Wetland Conservation Act (WCA) and the "Swampbuster" provisions of the Federal Farm bill. Work under this agreement has already begun. Successfully implementing this agreement will significantly improve consistency between WCA and Swampbuster, increase program efficiency, and provide better service to landowners. An overview will be provided as this endeavor is now being launched. **INFORMATION ITEM**

If you have any questions regarding the agenda, please feel free to give me a call at (651) 296-0878. The Board meeting will adjourn about noon. I look forward to seeing you on October 26th!

P.S. The Wetlands Committee will meet immediately following adjournment of the Board Meeting.

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
WEDNESDAY, OCTOBER 26, 2011**

PRELIMINARY AGENDA

9:00 AM CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

MINUTES OF SEPTEMBER 28, 2011 BOARD MEETING

PUBLIC ACCESS FORUM (10-minute agenda time, two-minute limit/person)

CONFLICT OF INTEREST DECLARATION

REPORTS

- Chair – Brian Napstad
- Administrative Advisory Committee – Brian Napstad
- Executive Director – John Jaschke
- Dispute Resolution Committee – Paul Brutlag
- Wetlands Committee – LuAnn Tolliver
- Grants Program & Policy Committee – Louise Smallidge
- Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth
- RIM Reserve Management Planning Committee – Paul Brutlag
- Drainage Work Group – Tom Loveall

COMMITTEE RECOMMENDATIONS

Dispute Resolution Committee

1. Hearing on Wetland Conservation Act Appeal of Exemption and No-Loss Determinations/Restoration Order Waseca County, File #11-2 and File #11-3 – Paul Brutlag, and Jill Nguyen, Attorney General's Office – ***DECISION ITEM***

Southern Water Planning Committee

1. Minnesota River Board, Fiscal Year 2012 Work Plan and Grant – Paul Langseth – ***DECISION ITEM***
2. Rock County Local Water Management Plan Amendment – Paul Langseth - ***DECISION ITEM***
3. Winona County Local Water Management Plan Update – Paul Langseth – ***DECISION ITEM***

RIM Reserve Management Planning Committee

1. RIM-WRP Payment Rates – Kevin Lines – ***DECISION ITEM***
2. RIM-WRP Environment and Natural Resources Trust Fund Allocation – Kevin Lines – ***DECISION ITEM***
3. RIM Red River Wetland Restoration Initiative – Kevin Lines – ***DECISION ITEM***
4. RIM Partners in USDA NRCS Mississippi River Basin Initiative (MRBI) Wetlands Reserve Enhancement Program (WREP) – Kevin Lines – ***DECISION ITEM***
5. RIM Reserve Outdoor Heritage Fund (OHF) Shallow Lakes Shoreland Protection on Wild Rice Lakes Project – Kevin Lines – ***DECISION ITEM***

OLD BUSINESS

1. Clean Water Fund/Outdoor Heritage Fund RIM Reserve Riparian Buffer – Kevin Lines – ***INFORMATION ITEM***

NEW BUSINESS

1. Ag Wetlands – WCA/Swampbuster BWSR/NRCS Implementation Agreement – John Jaschke and Julie Blackburn – ***INFORMATION ITEM***

AGENCY REPORTS

- Minnesota Department of Agriculture – Matt Wohlman
- Minnesota Department of Health – Linda Bruemmer
- Minnesota Department of Natural Resources – Tom Landwehr
- Minnesota Extension Service – Faye Sleeper
- Minnesota Pollution Control Agency – Rebecca Flood

ADVISORY COMMENTS

- Association of Minnesota Counties – Annalee Garletz
- Minnesota Association of Conservation District Employees – Matt Solemsaas
- Minnesota Association of Soil and Water Conservation Districts – LeAnn Buck
- Minnesota Association of Townships – Sandy Hooker
- Minnesota Association of Watershed Districts – Ray Bohn
- Natural Resources Conservation Service – Tim Koehler

UPCOMING MEETINGS

- Next Board Meeting – December 14, 2011, in St. Paul
- LMC Annual Meeting – November 17, Eagan
- MAT Annual Meeting – November 17-19, Alexandria
- MAWD Annual Meeting – December 1-3, Alexandria
- MASWCD Annual Meeting – December 4-6, Bloomington
- AMC Annual Meeting – December 5-7, Minneapolis

Noon

ADJOURN

**BOARD OF WATER AND SOIL RESOURCES
520 LAFAYETTE ROAD N.
LOWER LEVEL CONFERENCE ROOM
ST. PAUL, MINNESOTA 55155
SEPTEMBER 28, 2011**

BOARD MEMBERS PRESENT:

Paul Brutlag, Bob Burandt, Chris Elvrum, MDH; Christy Jo Fogarty, Quentin Fairbanks, Rebecca Flood, PCA; Sandy Hooker, Tom Landwehr, DNR; Paul Langseth, Tom Loveall, Keith Mykleseth, Brian Napstad, Rob Sip, MDA; Faye Sleeper, MES; Louise Smallidge, Gene Tiedemann, LuAnn Tolliver, Gerald Van Amburg

BOARD MEMBERS ABSENT:

Todd Foster
John Meyer

STAFF PRESENT:

Mary Jo Anderson, Julie Blackburn, Travis Germundson, Jim Haertel, John Jaschke, Al Kean, Ron Shelito, Dave Weirens, Tom Wenzel

OTHERS PRESENT:

Ray Bohn, MAWD
Louis Smith, Smith Partners
Wayne Anderson, MPCA
Tim Koehler, NRCS
Barbara Weisman, MDA

Chair Napstad called the meeting to order at 9:02 a.m.

PLEDGE OF ALLEGIANCE

**** ADOPTION OF AGENDA** – Moved by Louise Smallidge, seconded by Bob Burandt, to
11-60 approve the agenda as presented. Motion passed on a voice vote.

**** MINUTES OF AUGUST 25, 2011 MEETING** – Moved by Paul Langseth, seconded by
11-61 Quentin Fairbanks, to approve the minutes of August 25, 2011, as circulated. Motion
passed on a voice vote.

INTRODUCTION OF NEW BWSR EMPLOYEE

Al Kean introduced newly hired Jesse Preston, Conservation Engineering Technician. Jesse will be located in both the St. Paul and Rochester BWSR offices. Jesse provided background information about himself. He stated that he's happy to be a part of BWSR. Chair Napstad welcomed Jesse to the BWSR Board.

CONFLICT OF INTEREST DECLARATION – Chair Napstad reported that two agenda items today need the Conflict of Interest Declaration form submitted: 1) Area II Minnesota River Basins Project Inc. FY 2012 & FY2013 Biennial Work Plan and Grant; and 2) the Area II Minnesota River Basins Project Inc. FY 2012 & FY2013 Bonding Work Plan and Grant. Chair Napstad read the statement:

"A conflict of interest whether actual or perceived occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to identify any potential conflicts of interest they may have regarding today's business."

Chair Napstad asked board members to submit their completed Conflict of Interest Declaration forms to John Jaschke. John explained BWSR's conflict of interest policy for grant authorizations and completing the form. The Conflict of Interest Declaration document will be filed for the grant decision items.

REPORTS

Chair's Report – Brian Napstad reported that the past month has been busy. He attended a public hearing in Rothsay. He attended the EQB meeting; issues discussed included EAW change and authority; and the reinvention of EQB, an ongoing task. Chair Napstad stated that he has had discussions regarding possible Wetland Conservation Act modifications related to wetland replacement. The Wetlands

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Committee will be addressing the policy ideas and present more information to the Board at a later date.

Administrative Advisory Committee – Chair Napstad reported that the Administrative Advisory Committee met this morning. Items discussed included: communications changes; public hearing/committee procedures and options; Board minutes; and 2012 legislative ideas: bonding/policy.

Executive Director's Report – John Jaschke reported that the Reinvest In Minnesota (RIM) 25th Anniversary Celebration was held September 21, 2011, in Owatonna. John recognized Kevin Lines for his efforts on the RIM Program and asked Kevin to provide an overview. Kevin acknowledged Julie Blackburn for coordinating the event. Kevin stated that a number of sponsors attended the event. He continues to believe that this is the most successful private lands conservation program in the nation. Kevin reported that the StarTrib/Outdoors Section has an article about the RIM 25th Anniversary event in the newspaper today. John Jaschke acknowledged that the MASWCD assisted in the celebration effort and played a major role in making the event successful. Julie Blackburn stated that the event was a successful day and it's great to be a part of the overall program. Tom Landwehr acknowledged the phenomenal success of the RIM Program; a program created from a good idea with strong and sustained leadership by BWSR. He stated that Tom Wenzel wrote the wetland manual which is one example of BWSR staff building an outstanding program over the years, it's truly laudable for one of the smallest agencies in the state to create and carry out a fabulous program such as RIM.

John Jaschke reviewed the information in board members' packets, "For Your Information". John stated that if board members' have questions regarding the 'WCA and Swampbuster Coordination' contribution agreement that is underway between NRCS and BWSR dated 9/21/11 they should contact John or Julie Blackburn.

John reported that the Red River Basin Commission (RRBC) received \$500K from Minnesota and North Dakota to develop a Long-Term Flood Solutions (LTFS) report. John attended the RRBC meeting on September 22, 2011, in Fargo to review flooding reports and address changes. The RRBC will present their report at an upcoming BWSR Board meeting.

John reported that staff are drafting preliminary 2012 legislative statute/policy change ideas. John reviewed the response to the BWSR Clean Water Fund RFP, applications were submitted by the September 20th deadline.

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John reported that Travis Germundson made a listing of public hearings that BWSR must hold. Staff will create standardized procedures for BWSR to conduct public hearings, the process will be reviewed by the Administrative Advisory Committee; and will be brought before the full Board at an upcoming meeting.

Bob Burandt stated that a number of birds are being killed by wind turbines; this could be harming migratory bird flight patterns. John will talk with DNR about this issue.

John reported that the Outdoor Heritage Council has made recommendations to the Legislature regarding the RIM-WRP program. BWSR is also planning to request \$25M in bonding for RIM Reserve.

Dispute Resolution Committee (DRC) – Travis Germundson provided an overview of the number of appeals filed with BWSR. Travis reported that the DRC hearing scheduled for October 26 has a large volume record and supplemental information. The record will be provided for board members to review before, during and after Board meetings. Travis stated that DRC members have the hard copy of this information. The members of the DRC need to be familiar with the record; the full Board also needs to be familiar with the record to make a decision.

Wetlands Committee – LuAnn Tolliver reported that the Wetlands Committee will meet immediately following the October 26, 2011 Board Meeting. The Wetlands Committee will discuss WCA, the USDA/NRCS Agreement, northeast mitigation, and rule changes.

Grants Program & Policy Committee – Louise Smallidge reported that the Grants Program & Policy Committee will meet in the near future, the date to be determined.

Public Relations, Outreach & Strategic Planning Committee – Keith Mykleseth reported that the Public Relations, Outreach & Strategic Planning Committee meets today immediately following adjournment of the Board meeting.

RIM Reserve Management Planning Committee – Paul Brutlag reported that the RIM Reserve Management Planning Committee met on September 15; the Committee recommendations are on the agenda later today.

Drainage Work Group – Tom Loveall reported that the Drainage Work Group will meet on October 13.

COMMITTEE RECOMMENDATIONS

Metro Water Planning Committee

- Comfort Lake-Forest Lake Watershed District Watershed Management Plan** – Jim Haertel reported that the Metro Water Planning Committee met on September 8, 2011, to review the Comfort Lake-Forest Lake Watershed District Watershed Management Plan and recommends approval. Moved by Bob Burandt, seconded by LuAnn Tolliver, to approve the Comfort Lake-Forest Lake Watershed District Watershed Management Plan as presented. Discussion followed. Motion passed on a voice vote.

- Public Hearing for Coon Creek WD Enlargement Petition** – Jim Haertel reported that the Cities of Blaine, Coon Rapids, Fridley and Spring Lake Park filed a petition to enlarge the Coon Creek Watershed District (CCWD). Jim stated that the petition before the Board today is identical to a petition filed a few months ago by the CCWD that was withdrawn by the CCWD after the Metro Water Planning Committee held a public hearing. The Metro Water Planning Committee recommends a public hearing be held within 35 days of the date of the Board's Order after proper notice has been given, that the Metro Water Planning Committee preside over the public hearing and bring recommendations on the Petition to the Board, and that the Executive Director set the date, time and location of the public hearing. Moved by Louise Smallidge, seconded by Sandy Hooker, that the Board orders a public hearing on October 27, 2011, at 7:30 PM at the Blaine City Hall. Motion passed on a voice vote.

- Lower Mississippi River WMO Watershed Plan** – Jim Haertel reported that this joint powers agreement is a success story of a third generation plan. The Metro Water Planning Committee reviewed the revised Lower Mississippi River WMO Watershed Plan and recommends approval. Moved by Bob Burandt, seconded by Rebecca Flood, to approve the Lower Mississippi River WMO Watershed Plan. Motion passed on a voice vote.

Northern Water Planning Committee

- Hubbard County Priority Concerns Scoping Document** – Paul Brutlag reported that the Northern Water Planning Committee met on September 14, 2011, to review the Hubbard County Priority Concerns Scoping Document and recommends approval. Moved by Paul Brutlag, seconded by Gene Tiedemann, to approve an extension/support for and send a letter from the Chair transmitting agency comments on the Hubbard County Priority Concerns Scoping Document. Discussion followed. Motion passed on a voice vote.

Upper Red Lower Otter Tail Watershed District Establishment Petition Status Report – Travis Germundson reported that a petition was filed by the Wilkin County Commissioners to establish the Upper Red Lower Otter Tail Watershed District. The required Establishment Hearing was held September 7, 2011. On September 13, 2011,

the Otter Tail County Commissioners submitted a resolution that they would join in a petition with Wilkin County to expand the Buffalo-Red River Watershed District. The Northern Water Planning Committee met on September 14, 2011, at that meeting Wilkin County expressed interest in expanding the Buffalo-Red River WD to include the proposed areas as an alternative. However, the County is not yet ready to move forward with a resolution, but asked that the Northern Water Planning Committee delay action on the establishment petition until the Buffalo-Red River WD expansion alternative is discussed. The Northern Water Planning Committee decided to hold off on making a recommendation on the petition at this time as the hearing record just closed, without time for a staff assessment or recommendation, and now there appears an alternative option is on the table. Gerald Van Amburg stated that the Buffalo-Red River WD is meeting this week to discuss what can be worked out amongst themselves. Gerald stated that there needs to be water management in that area. Chair Napstad clarified that if a decision is made to expand the Buffalo-Red River WD, then a new petition would need to be filed that voids the current establishment petition. Discussion followed.

Southern Water Planning Committee

John Jaschke reported that the Conflict of Interest Declaration forms have been received, all board members are eligible to vote on the Area II Minnesota River Basins Project Inc. FY 2012 & FY2013 Biennial Work Plan and Grant; and the Bonding Work Plan and Grant.

Area II Minnesota River Basins Project Inc. FY 2012 & FY2013 Biennial Work Plan and Grant – Paul Langseth reported that the Southern Water Planning Committee met on September 8, 2011; to review the Area II Work Plan and recommends approval of the plan and execution of the administrative grant agreement for FY 2012. John Jaschke reported that BWSR oversees the administrative funding related to the efforts of the Area II Minnesota River Basins Project Inc. The 2011 Minnesota Legislature appropriated administrative funding for Area II Minnesota River Basins Project Inc., resulting in a fiscal year 2012 grant of \$120,000. Moved by Paul Langseth, seconded
11-66 Tom Loveall, to approve the Area II Minnesota River Basins Project Inc. FY 2012 & FY2013 Biennial Work Plan and Grant. Discussion followed. Tom Landwehr suggested a possible future Board Tour in this area. Motion passed on a voice vote.

Area II Minnesota River Basins Project Inc. FY 2012 & FY2013 Bonding Work Plan and Grant – Paul Langseth reported that the Southern Water Planning Committee met on September 8, 2011, to review the Area II Bonding Work Plan and recommends approval of the plan and execution of the FY 2012 grant. John Jaschke reported that BWSR oversees the Bonding appropriation related to the efforts of the Area II Minnesota River Basins Project Inc. for construction of floodwater retarding and

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- retention structures. The 2011 Minnesota Legislature appropriated Bonding funding for Area II Minnesota River Basins Project Inc. resulting in a fiscal year 2012 grant of \$1,000,000. Moved by Paul Langseth, seconded by Christy Jo Fogarty, to approve the Area II Minnesota River Basins Project Inc. FY 2012 & FY2013 Bonding Work Plan and Grant. Discussion followed. Motion passed on a voice vote.
- ** 11-67

Chair Napstad called for a break in the meeting at 10:30 AM. The meeting reconvened at 10:40 AM.

NEW BUSINESS

- Camp Ripley Army Compatible Use Buffer (ACUB) Cooperative Agreement and Riparian Payment Rates** – Kevin Lines reported that ACUB is a national program. The RIM Reserve Management Planning Committee met on September 15, 2011; and recommends approval and authorization of staff to: 1) immediately implement the adjacent riparian lands payment rate of 69% of the most recently assessed market value of the land as determined by the county assessor of the county where the land is located; and 2) develop, finalize, and sign the next Camp Ripley ACUB Cooperative Agreement with the National Guard Bureau and Camp Ripley staff; and 3) continue the successful implementation of the Camp Ripley ACUB with an approved Cooperative Agreement consistent with the provisions of the resolution. Moved by Paul Brutlag, seconded by Keith Mykleseth, to continue the Camp Ripley ACUB Cooperative Agreement and authorize staff to implement. Motion passed on a voice vote.
- ** 11-68

Clean Water Funded (CWF) and Outdoor Heritage Funded Permanent RIM Reserve Riparian Buffer Conservation Easement Program – Kevin Lines reported that the 2011 Minnesota State Legislature appropriated \$6.0 million of CWF and \$2.249M of Outdoor Heritage Funds to BWSR for FY12 to purchase and restore permanent conservation easements and riparian buffers. The RIM Reserve Management Planning Committee met on September 15, 2011, to review staff recommendations for an RFP, a ranking process, and conduct sign-up and selection process with a target implementation date of December 1, 2011; and recommends and authorizes staff to implement the RIM Reserve Riparian Buffer Conservation Easement Program.

- Moved by Tom Loveall, seconded by Sandy Hooker, to approve the RIM Reserve Management Planning Committee's recommendation to authorize staff to implement the Permanent RIM Reserve Riparian Buffer Conservation Easement Program. Discussion followed. Tom Landwehr stated that we need to focus on the maximum amount of benefit; and he looks forward to a coordinated effort on the ranking process. John Jaschke stated that challenges exist as BWSR will need to assure integrity of the separate constitutional funds in this program. Motion passed on a voice vote.
- ** 11-69

Wellhead Protection Area Clean Water Funded (CWF) Permanent RIM Reserve Wellhead Protection Easement Program – Kevin Lines reported that the 2011 Minnesota State Legislature appropriated \$2.6 million of CWF to the BWSR Board to purchase and restore permanent RIM Reserve conservation easements on wellhead protection areas. The RIM Reserve Management Planning Committee met on September 15, 2011, to review and recommends that staff are authorized to implement the acquisition of RIM Reserve Wellhead Protection easements in the targeted areas which have been identified by the Minnesota Department of Health (MDH) as high or very high vulnerability. Kevin stated that BWSR is working extensively with FSA on this program. Moved by Gene Tiedemann, seconded by Paul Brutlag, to approve the RIM Reserve Management Planning Committee's recommendation authorizing staff to work with the appropriate SWCDs to implement the acquisition of RIM Reserve Wellhead Protection easements. Motion passed on a voice vote.

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11-70

Minnesota Drainage Law Analysis and Evaluation Report – Al Kean reported that this study was conducted by Smith Partners, PLLP, and funded by an Environment and Natural Resources Trust Fund grant from the LCCMR. The final report, dated August 15, 2011, is on the BWSR website Drainage page under Technical Information and Resources. Al introduced Louis Smith. Mr. Smith presented an overview of the Minnesota Drainage Law Analysis and Evaluation Report for the Board's information. He reported that Smith Partners coordinated with the stakeholder Drainage Work Group (DWG) during the study, including DWG member participation on a study advisory committee and periodic presentations and discussion at DWG meetings. The report includes a number of recommendations and associated proposals for statute revisions in regard to drainage and the intersection of Comprehensive Wetland Protection and Management Plans and drainage systems. The report will also be available at the U of M Water Resources Conference; MAWD's annual meeting, MASWCD's annual meeting, and LCCMR. Smith Partners has drafted legislation; therefore, more discussion. Al Kean stated that the Drainage Work Group will discuss the recommendations and BWSR staff will review those recommendations. Discussion followed. Chair Napstad thanked Louis for his presentation.

Upcoming Federal Farm Bill Conservation Title - Minnesota Interagency Efforts - Barbara Weisman, MDA provided an overview of the draft guiding principles for the 2012 Farm Bill. Barbara distributed the draft Minnesota State Agency Recommendations on the 2012 Farm Bill Conservation Title priorities as of September 2011 and provided a brief overview. Barbara stated that this would be a consensus driven product. Discussion followed. Tom Landwehr stated that DNR would like to see WRP and CRP maintain funding levels and conservation compliance continued. John Jaschke stated that there is still time for input. Chair Napstad thanked Barbara for her report.

AGENCY REPORTS

Minnesota Department of Agriculture (MDA) – Rob Sip reported that MDA hosted the Root River/Discovery Farm Tour on September 9, 2011, in Goodhue and Mower Counties. John Jaschke attended the tour on behalf of BWSR; it was a good tour with interaction and discussion on nutrient and water management in rural areas.

Minnesota Department of Natural Resources (DNR) – Tom Landwehr reported that DNR had a very successful sign-up for the new Walk-in Program. Tom stated that Marybeth Block is the coordinator of the new program, all boundaries were posted on time for the hunting season with extraordinary work done by SWCDs in a record amount of time, accolades for those involved. Tom reported that BWSR and DNR submitted a joint application for a working lands initiative to the LSOHC. Although no additional funding received; he thanked John Jaschke and BWSR for the effort. Tom reported that it was a good duck hunting opener.

Minnesota Extension Service (MES) – Faye Sleeper reported that the inauguration of the new U of M President Eric Kaler was held on September 22. Faye reported that President Kaler is a civil engineer; he attended Farm Fest. Faye invited board members to attend the Water Resources Conference, October 18-19, 2011, at the River Centre in St. Paul. Don Baloun, NRCS, and State Representative Paul Torkelson will be speakers.

Minnesota Pollution Control Agency (MPCA) – Rebecca Flood reported that the federal government is faced with cuts that affect MPCA and local partners. Rebecca reported that MS4 municipal storm sewer permit was placed on public notice in June, established 45-day public comment period; due to the state government shutdown the date was extended through the end of August. Rebecca reported that MPCA staff are in process of compiling, categorizing, and will prepare a draft response, and provide stakeholder meetings. Rebecca stated that this will come before the MPCA Citizens Board in May.

ADVISORY COMMENTS

Minnesota Association of Townships (MAT) – Sandy Hooker reported that the National Association of Towns and Townships (NATaT) Annual Town Meeting was held in Washington, D.C., in September 6-8, 2011. Sandy reported that the MAT Annual Conference will be held November 17-19, 2011, at the Arrowwood Resort in Alexandria. Sandy stated that MAT appreciates BWSR's support at their meetings.

Minnesota Association of Watershed Districts (MAWD) – Ray Bohn congratulated BWSR staff on the successful RIM 25th Anniversary; Governor Perpich would have been thoroughly pleased. Ray reported that this is the 40th anniversary of MAWD. He

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invited board members to attend the MAWD Annual Conference, December 1-3, 2011, in Alexandria. Ray reported that the Local Government Water Roundtable met several times this past summer, several state agencies attended their last meeting. Ray stated that MAWD would like to be involved in the Asian Carp issue. The Roundtable has been discussing the Hennepin County governance study. The Roundtable group encourages Hennepin County to not reinvent the wheel. Ray commended Al Kean for his efforts with the Drainage Work Group; MAWD hopes the study draws water drainage authorities and environmental groups back to the table. Ray stated that MAWD has been asked to participate in the Environmental Initiative Policy Forum. Chair Napstad thanked Ray for his comments.

Natural Resources Conservation Service (NRCS) – Tim Koehler congratulated BWSR and staff for 25 years of the RIM Program. Tim stated that WRP is celebrating 20 years; NRCS's WRP used RIM as a template. Tim reported that NRCS directed allocations to the Red River Basin Commission for flood mitigation projects for RIM/WRP Partnership; working with watershed districts and the RIM Reserve Management and Planning Committee. NRCS requested \$40M allocation to match the RIM program and WRP partnership. Tim, on behalf of Don Baloun, thanked BWSR for contribution agreements for implementation efforts; NRCS received over \$5M for technical assistance. Tim stated that lots of money creates more work but good partnerships and work efforts provide implementation. Chair Napstad thanked Tim for his comments.

UPCOMING MEETINGS

- Next Board Meeting – October 26, 2011 in St. Paul
- MAWD Annual Meeting – December 1-3, Alexandria
- MASWCD Annual Meeting – December 4-6, Bloomington
- AMC Annual Meeting – December 5-7, Minneapolis

** Moved by Paul Brutlag, seconded by LuAnn Tolliver, to adjourn the meeting at 12:20 PM.
11-71 Motion passed on a voice vote.

Respectfully submitted,

Mary Jo Anderson
Recorder

Board of Water and Soil Resources Grants Conflict of Interest Declaration



Board Meeting Item: Minnesota River Board, Fiscal Year 2012 Work Plan and Grant
Date: October 26, 2011

Policy 08-01: Grants Conflict of Interest Minnesota state agencies must work to deliberately avoid both actual and perceived conflicts of interest related to grant-making at both the individual and organizational levels. When a conflict of interest concerning state grant-making exists, transparency shall be the guiding principle in addressing it.

Grant Making Meeting Procedure

Meetings that are part of the grant making process will include an agenda item to identify and disclose actual or perceived conflicts of interest. During this agenda item, the chair of the meeting shall make a statement that defines what a conflict of interest is and a request that meeting participants disclose any actual or perceived conflicts. This statement is as follows:

Agenda Item: Conflicts of Interest Declaration.

Chair Statement: *"A conflict of interest whether actual or perceived occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to identify any potential conflicts of interest they may have regarding today's business."*

This form provides Board of Water and Soil Resources (BWSR) grant reviewers an opportunity to disclose any conflicts of interest, or potential for conflicts of interest that exist during a grant making process. It is the grant reviewer's obligation to be familiar with the Conflict of Interest Policy for State Grant-Making and to disclose any conflicts of interest. The grant reviewer is not required to explain the reason for the conflict of interest as this form is considered public data under Minn. Statute 13.599-Grants. **A disclosure does not automatically result in the grant application reviewer being removed from the review process.**

Please read the descriptions of conflict of interest below and mark the appropriate box that pertains to you and your status as a reviewer of this grant.

Descriptions of conflicts of interest: - A conflict of interest shall be deemed to exist when a review of the situation by the grant reviewer (or other agency personnel) determines any one of the following conditions to be present:

- (a) A grant reviewer uses his/her status or position to obtain special advantage, benefit, or access to the grantee or grant applicant's time, services, facilities, equipment, supplies, badge, uniform, prestige, or influence.
- (b) A grant reviewer receives or accepts money or anything else of value from a state grantee or grant applicant or has equity or a financial interest in or partial or whole ownership of an applicant organization.

- (c) A grant reviewer is an employee of a grant applicant or is a family member of anyone involved in the grantee or grant applicant's agency.
- (d) A grant reviewer is in a position to devise benefit by directly influencing a grant-making process to favor an organization the grant reviewer has an interest in.

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- ☐ Based on the descriptions above, I do not have a conflict of interest.
- ☐ Based on the descriptions above, I have or may have an actual or perceived conflict of interest, which I am listing below. *(The grant reviewer should list the specific grant-making evaluation, recommendation, or allocation with which they may have a conflict of interest. The grant reviewer may describe the nature of the conflict in the space below, but this information is not required since this form is considered public information.)*

(continue below or on an attachment if needed)

- ☐ Based on the descriptions above, I am unable to participate in this evaluation, recommendation or allocation process because of a conflict of interest.

If at any time during the grant-making process I discover a conflict of interest, I will disclose that conflict to the meeting chair immediately.

Name: _____

Signature: _____

<p>All forms must be submitted to the lead staff for the meeting and filed with the meeting agenda by the BWSR Grant Coordinator upon completion.</p>
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Board of Water and Soil Resources Conflict of Interest Declaration



Board Meeting Item: RIM Reserve Management Planning Committee Recommendations
Date: October 26, 2011

Policy 08-01: Grants Conflict of Interest Minnesota state agencies must work to deliberately avoid both actual and perceived conflicts of interest related to grant-making at both the individual and organizational levels. When a conflict of interest concerning state grant-making exists, transparency shall be the guiding principle in addressing it.

Grant Making Meeting Procedure

Meetings that are part of the grant making process will include an agenda item to identify and disclose actual or perceived conflicts of interest. During this agenda item, the chair of the meeting shall make a statement that defines what a conflict of interest is and a request that meeting participants disclose any actual or perceived conflicts. This statement is as follows:

Agenda Item: Conflicts of Interest Declaration.

Chair Statement: *"A conflict of interest whether actual or perceived occurs when someone in a position of trust has competing professional or personal interests and these competing interests make it difficult to fulfill professional duties impartially. At this time, members are requested to identify any potential conflicts of interest they may have regarding today's business."*

This form provides Board of Water and Soil Resources (BWSR) grant reviewers an opportunity to disclose any conflicts of interest, or potential for conflicts of interest that exist during a grant making process. It is the grant reviewer's obligation to be familiar with the Conflict of Interest Policy for State Grant-Making and to disclose any conflicts of interest. The grant reviewer is not required to explain the reason for the conflict of interest as this form is considered public data under Minn. Statute 13.599-Grants. **A disclosure does not automatically result in the grant application reviewer being removed from the review process.**

Please read the descriptions of conflict of interest below and mark the appropriate box that pertains to you and your status as a reviewer of this grant.

Descriptions of conflicts of interest: - A conflict of interest shall be deemed to exist when a review of the situation by the grant reviewer (or other agency personnel) determines any one of the following conditions to be present:

- (a) A grant reviewer uses his/her status or position to obtain special advantage, benefit, or access to the grantee or grant applicant's time, services, facilities, equipment, supplies, badge, uniform, prestige, or influence.
- (b) A grant reviewer receives or accepts money or anything else of value from a state grantee or grant applicant or has equity or a financial interest in or partial or whole ownership of an applicant organization.

- (c) A grant reviewer is an employee of a grant applicant or is a family member of anyone involved in the grantee or grant applicant's agency.
- (d) A grant reviewer is in a position to devise benefit by directly influencing a grant-making process to favor an organization the grant reviewer has an interest in.

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- ☐ Based on the descriptions above, I do not have a conflict of interest.
- ☐ Based on the descriptions above, I have or may have an actual or perceived conflict of interest, which I am listing below. *(The grant reviewer should list the specific grant-making evaluation, recommendation, or allocation with which they may have a conflict of interest. The grant reviewer may describe the nature of the conflict in the space below, but this information is not required since this form is considered public information.)*

(continue below or on an attachment if needed)

- ☐ Based on the descriptions above, I am unable to participate in this evaluation, recommendation or allocation process because of a conflict of interest for agenda item below.

If at any time during the grant-making process I discover a conflict of interest, I will disclose that conflict to the meeting chair immediately.

Name: _____

Signature: _____

All forms must be submitted to the lead staff for the meeting and filed with the meeting agenda by the BWSR Grant Coordinator upon completion.

- ☐ 1. RIM-WRP Payment Rates
- ☐ 2. RIM-WRP Environment and Natural Resources Trust Fund Allocation
- ☐ 3. RIM Red River Wetland Restoration Initiative
- ☐ 4. RIM Partners in USDA NRCS Mississippi River Basin Initiative (MRBI) Wetlands Reserve Enhancement Program (WREP)
- ☐ 5. RIM Reserve Outdoor Heritage Fund (OHF) Shallow Lakes Shoreland Protection on Wild Rice Lakes Project



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: Dispute Resolution Committee Report

Meeting Date: October 26, 2011

Agenda Category: ☐ Committee Recommendation ☐ New Business ☐ Old Business
Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region: Land and Water Section

Contact: Travis Germundson

Prepared by: Travis Germundson

Reviewed by: _____ **Committee(s)**

Presented by: Paul Brutlag Travis Germundson

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☐ Resolution ☐ Order ☐ Map ☒ Other Supporting Information

Fiscal/Policy Impact

- ☒ None ☐ General Fund Budget
☐ Amended Policy Requested ☐ Capital Budget
☐ New Policy Requested ☐ Outdoor Heritage Fund Budget
☐ Other: _____ ☐ Clean Water Fund Budget

ACTION REQUESTED

None

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

Dispute Resolution Committee Report. The report provides a monthly update on the number of appeals filed with the BWSR.

Dispute Resolution Report
October 14, 2011
By: Travis Germundson

There are presently **15** appeals pending. All of the appeals involve WCA except File 10-10. There has been **no** new appeals filed since the last report (September 28th Board Meeting).

Format note: New appeals that have been filed since last report to the Board.
~~Appeals that have been decided since last report to the Board.~~

File 11-7 (8-19-11) This is an appeal of a restoration order in Itasca County. The appeal regards the unauthorized placement of approximately 2,275 sq. ft. of fill in a wetland area adjacent to Little Turtle Lake. No decision has been made on the appeal.

~~File 11-5 (4-13-11) This is an appeal of a forestry exemption decision in Carlton County. This involves the same location and similar issues as File 10-16. The LGU under a remand reversed their previous decision and denied the after-the-fact forestry exemption application for the construction of a forest logging road. Now that denial is being appealed by the Minnesota Timber Producers Association on behalf of the landowner. The appeal has been settled by written agreement.~~

File 11-3 (2-11-11) This is an appeal of a restoration order in Waseca County. The appeal regards the draining and filling of approximately 8.3 acres of a Type 2 wetland. This involves the same location and similar issues as File 11-2. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on the appeal of the exemption and no loss determinations (File 11-2). The appeal has been combined with File 11-2 and will be processed as one decision. The DRC held a hearing on October 13, 2011 and voted on a decision to recommend to the full Board.

File 11-2 (1-24-11) This is an appeal of an exemption and no-loss determination in Waseca County. The appeal regards the denial of an exemption and no-loss application. A previous denial of the same exemption and no loss application had been appealed (File 8-4). The appeal was remanded for or further technical evaluation and a hearing, and now the current denial has been appealed. The appeal has been combined with File 11-3 and will be processed as one decision. The DRC held a hearing on October 13, 2011 and voted on a decision to recommend to the full Board.

File 11-1 (1-20-11) This is an appeal of a restoration order in Hennepin County. The appeal regards the filling of approximately 1.77 acres of wetland and 0.69 acres of excavation. The appeal has been placed in abeyance and the restoration order stayed until there is a final decision on an after-the-fact wetland application.

~~File 10-15 (11-29-10) This is an appeal of a restoration order in Mille Laes County. The appeal regards the filling of approximately 5,800 square feet of wetland for lakeshore access and to create a larger recreational area. The appeal has been placed in abeyance for submittal of technical analyses of the onsite drainage modifications. The appeal has been denied.~~

File 10-10 (6-10-10) This is an appeal filed under Minn. Stat. 103D.535 regarding an order of the managers of the Wild Rice Watershed District not to go forward with the Upper Becker Dam Enhancement Project as proposed. Appeals filed under 103D.535 require that the Board follow the Administrative Procedures Act. The Act requires that the hearing be conducted by an Administrative Laws Judge through the Office of Administrative Hearings. The appeal has been placed in abeyance pending settlement discussions. A verbal settlement agreement has been reached by the parties. (at the December 2010 Board meeting, Managers voted 6 to 1 to move forward with Option D)

File 10-7 (2-19-10) This is an appeal of a restoration order in Stearns County. The appeal regards draining and filling impacts to approximately 18.44 acres of Type2/3 wetland and 3.06 acres of Type 2 wetland. The appeal has been placed in abeyance and the restoration order stayed for submittal of "as built" or project information pertaining to a public drainage system.

File 10-3 (2-1-10) This is an appeal of a restoration order in Stearns County. The appeal regards the placement of agricultural drain tile and the straightening and rerouting of a county ditch that resulted in over 12 acres of wetland impacts. The appellant has granted BWSR additional time to make a decision on the appeal. No decision has been made on the appeal.

File 09-22 (10-02-09) This is an appeal of a restoration order in Carlton County. The appeal regards three separate investigation areas encompassing over 18 acres of wetland impacts from excavation, filling, and ditching. The replacement order has been stayed and the appeal has been placed in abeyance pending further technical work and for submittal of complete wetland replacement plan, exemption, or no-loss application.

File 09-13 (8-20-09) This is an appeal of an exemption decision in Otter Tail County. The appeal regard the denial of an exemption request for agricultural/drainage actives. A previous denial of the same exemption decision had been appealed (File 09-6). The appeal was remanded for further technical evaluation and a hearing, and now the current denial has been appealed. The appeal has been granted. A pre hearing conference convened on November 12, 2009. At which time parties agreed to hold off scheduling written briefs until the petition before NRCS is concluded. The appeal has been placed in abeyance by mutual agreement until there is a final decision by the Department of Agriculture National Appeals Division.

File 09-10 (7-9-09) This is an appeal of a banking plan application in Aitkin County. The appeal regards the LGU's denial of a banking plan application to restore 427.5 acres of wetlands through the use of exceptional natural resource value. The appeal has been accepted and pre-hearing conferences convened on October 13 and 30, and December 14, 2009. Settlement discussions are on hold while the appellant addresses permitting issues with the Corps of Engineers. The appeal has been placed in abeyance by mutual agreement on determining the viability of a new wetland banking plan application.

File 09-3 (2-20-09) This is an appeal of a replacement plan decision in Anoka County. The appeal regards the approval of a wetland replacement plan for 11,919 square feet of impacts associated with a residential development. The appeal has been placed in abeyance and the replacement plan decision stayed for submittal of a revised replacement plan application. The three owners are also in the process of splitting up the property.

File 08-9. (03/06/08) This is an appeal of a replacement order in Pine County. The appeal regards impacts to approximately 11.26 acres of wetland. The replacement order has been stayed and the appeal has been placed in abeyance pending disposition with the U.S. Dept of Justice.

File 06-23. (05/19/06) This is an appeal of a replacement plan decision in Kanabec County. The LGU denied the wetland replacement plan application. A previous denial of the same replacement plan application had been appealed, the appeal was remanded for a hearing, and now the current denial has been appealed. The appeal has been placed in abeyance pending the outcome of a lawsuit between the landowner and the county. The lawsuit concerns the county's possible noncompliance with the 60-day rule. The county prevailed in district court; however the decision was appealed to the Court of Appeals where the county again prevailed. An appeal to the Minnesota Supreme Court was denied review.

File 06-17. (05/27/06) This is an appeal of a replacement plan decision in the City of Montgomery in LeSueur County. The LGU denied an after-the-fact wetland replacement plan application based on a lack of sufficient reasons why the restoration could not be completed. The appeal was been remanded for further processing at the local level. The City of Montgomery has gradually been working on removing the debris and restoring the wetland in accordance with MPCA requirements.

File 05-1. (01/13/05) This is an appeal of a replacement plan decision by the Rice Creek Watershed District. The District previously made a decision that was appealed which resulted in a remand for an expanded TEP. Now there is an appeal of the decision made under remand since the decision differed from the TEP report. At issue are wetland delineation and the Comprehensive Wetland Protection and Management Plan that BWSR approved. After a hearing before the DRC, the board remanded the matter for new wetland delineation and for submission on an updated, complete replacement plan application. On 12-9-09 the District made a new wetland delineation decision. The applicant has not yet submitted an updated replacement plan application.

Draft Summary Table

Type of Decision	Total for Calendar Year 2010	Total for Calendar Year 2011
Order in favor of appellant	2	
Order not in favor of appellant	6	2
Order Modified		
Order Remanded	1	
Order Place Appeal in Abeyance	5	3
Negotiated Settlement	1	1
Withdrawn/Dismissed	4	

COMMITTEE RECOMMENDATION

Southern Water Planning Committee

1. Minnesota River Board, Fiscal Year 2012 Work Plan and Grant – Paul Langseth – ***DECISION ITEM***
2. Rock County Local Water Management Plan Amendment – Paul Langseth - ***DECISION ITEM***
3. Winona County Local Water Management Plan Update – Paul Langseth – ***DECISION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

**Minnesota River Board
FY12 Work Plan & Grant**

Meeting Date: October 26, 2011

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Southern Region

Contact: Jeff Nielsen

Prepared by: Carla Swanson-Cullen

Reviewed by: Southern Water Planning Review Committee Committee(s)

Presented by: Paul Langseth

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☒ Resolution ☐ Order ☐ Map ☒ Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input type="checkbox"/> None | <input checked="" type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| | <input type="checkbox"/> Clean Water Fund Budget |
| <input type="checkbox"/> Other: _____ | |

ACTION REQUESTED

Approval of fiscal year 2012 work plan and execution of fiscal year 2012 grant agreement.

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
Please see the Minnesota River Board Plan of Work (included) for history, goals, and budget.



Board Resolution # _____

Minnesota River Board Fiscal Year 2012 Work Plan and Grant

WHEREAS, the 2011 Minnesota Legislature appropriated administrative funding for the Minnesota River Board, formerly known as the Minnesota River Basin Joint Powers Board, resulting in a fiscal year 2012 State General Funds grant of \$42,000;

WHEREAS, the Minnesota River Board developed a Plan of Work for fiscal year 2012, which they adopted on September 19, 2011;

WHEREAS, the Board of Water and Soil Resources staff have completed review of the Plan and recommend approval;

NOW THEREFORE BE IT RESOLVED, the Board of Water and Soil Resources enter into a grant agreement with the Minnesota River Board for these funds.

Brian Napstad, Chair
Minnesota Board of Water and Soil Resources

Date



Minnesota River Board

Progress Report Summary (FY11) and Plan of Work (FY12)

Contact Information:

Shannon J. Fisher, Executive Director
Minnesota River Board
135 Trafton Science Center South
Mankato, MN 56001
(507) 389-5491;
shannon.fisher@mnsu.edu
www.minnesotariver.org

MRB Approved on 9-19-11
Submitted by *Shannon J. Fisher*
Shannon Fisher, Exec. Dir.

Minnesota River Board Basics

In 1992, the Minnesota River Citizen's Advisory Committee (MRCAC) was formed. In 1994, the MRCAC released the report, *Working Together: A Plan to Restore the Minnesota River*. The report detailed ten recommendations (listed below) that the participants believed would improve Minnesota River health.

- restore floodplains and riparian areas,
- restore wetlands,
- manage drainage ditches and storm sewers as tributaries,
- improve land management practices,
- monitor water quality throughout the Minnesota River Basin,
- establish a "Minnesota River Commission" to oversee the clean-up effort,
- establish local joint powers agreements,
- improve technical assistance to local governments,
- engage the general public, and
- enforce existing laws

As a result of the MRCAC recommendations and increasing Minnesota River awareness, the Minnesota River Basin Joint Powers Board (formally changed names to the Minnesota River Board in 2009 and hereafter referred to as MRB) was forged in 1996 (*Minnesota Statute 103F.378*). The MRB was founded on

- the desire to collaborate and leverage in a judiciously appropriate manner and
- the desire to assume a leadership role and be more pro-active in the coordination of basin-wide water quality improvement efforts at all levels.

Mission and Vision

The MRB is founded on and conducts its business based on the principles and objectives outlined in our Mission and Vision statements.

MRB Mission Statement

"To provide leadership, build partnerships, and support efforts to improve and protect water quality in the Minnesota River Basin"

MRB Vision Statement

"Conservation and restoration of Minnesota River resources and our way of life can only be achieved by a cooperative effort between citizens and all levels of government and business."

Organizational Structure

The MRB partnership structure (Figure 1) has been in place since 2003 and remains a desirable and productive organizational profile. The internal structure of the Minnesota River Board itself should be evaluated, possibly for greater inclusion of basin partners. The relationship between the Water Resources Center (WRC) and the MRB has been very good and has been highlighted by legislators during MRB negotiations. The WRC has facilitated stability and progress for both entities. Significant dedication to re-establishing relations and partnerships with the watershed programs needs to and will occur over the next few years.

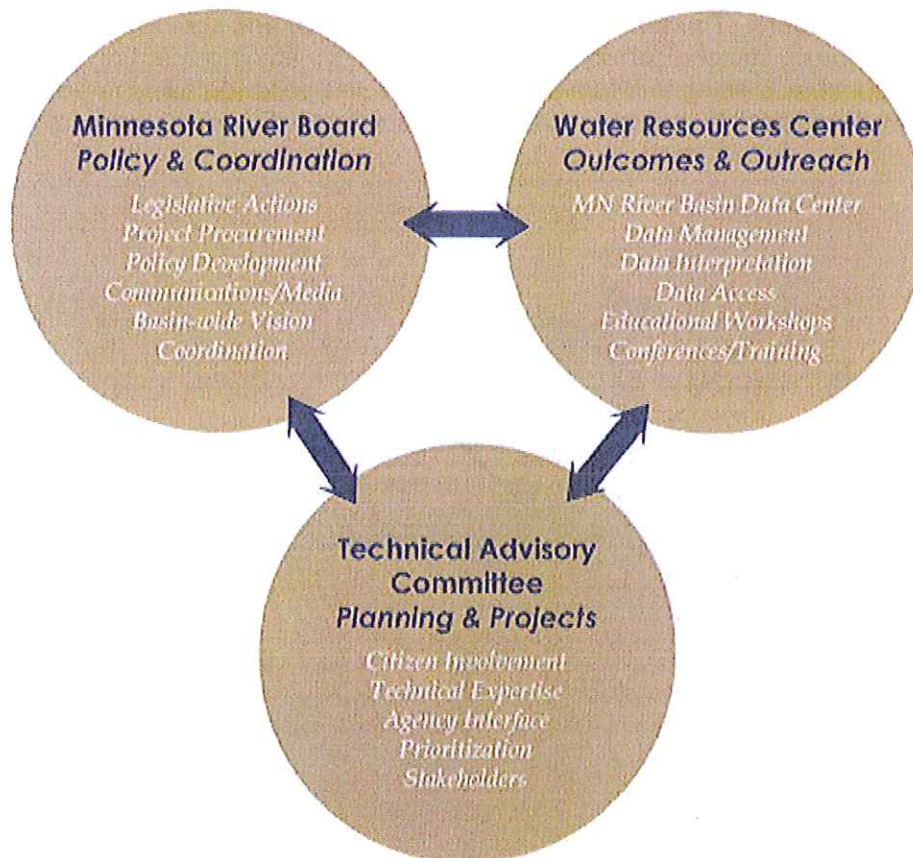


Figure 1. MRB Organizational Structure

Staff and Contact Information

Shannon J. Fisher, Executive Director
Susie D.G. Carlin, Program Director
Karnell W. Johnson, Office/Grants Manager
Brooke Hacker, Ecosystem Services Specialist

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Minnesota River Board
184 Trafton Science Center South
Mankato, MN 56001
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Membership

The MRB is a joint powers board charged with coordinating efforts to improve water quality in the 38-county Minnesota River Basin and providing reporting for and assistance to 12 major watersheds (Figure 2). Upon acceptance of the joint powers agreement, each county with dues paid in full shall have one county commissioner as its delegate to the board and one county commissioner as an alternate. A technical and citizen advisory committee was established to advise the board and consisted of a technical representative from each participating county in the basin and citizens who are not county employees, but who have an interest in agriculture, conservation, sporting activities, and other relevant areas as determined by the board. This committee has not been active and should be revitalized, as input from these basin stakeholders is critical for the positive advancement of the board's mission. For counties wishing to return to the board, a new policy detailing re-admission procedures was approved in January of 2008. Contact the MRB staff for more information.

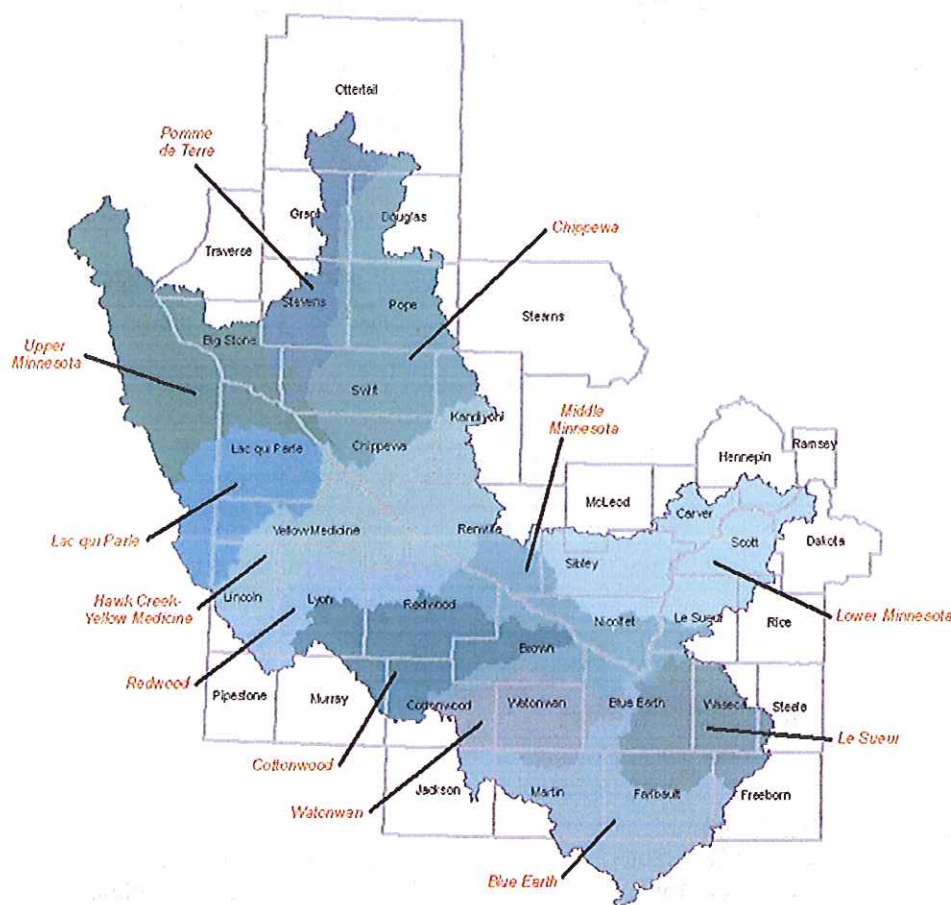


Figure 2. Figure denotes the Minnesota River basin made up of 12 major watersheds and 38 counties associated with the Minnesota River Basin Joint Powers Board.

FY11 Summary Report and FY12 Plan of Work Statement

During much of Fiscal Year 2011 (July 1, 2010 – June 30, 2011), Executive Director Fisher took a leave of absence to complete a reassignment within his faculty position at Minnesota State University, Mankato. An interim replacement was hired, but only lasted two weeks before resigning to pursue other interests. The remaining staff, along with time provided by the now reduced-time Executive Director still accomplished many tasks from the FY11 Work Plan. Over this past year, great focus has been afforded to the following areas:

- 1) Re-determination of Benefits,
- 2) Conservation Marketplace of Minnesota,
- 3) Fund Raising and Legislative Funding Issues,
- 4) Outreach and provision of outreach grants, and
- 5) Improving communications.

During Fiscal Year 2012 (July 1, 2011 to June 30, 2012), we will strive to finish up some initiatives that were delayed from FY11 and determine ways to move forward sustainably in light of a 50% reduction in state funding and the loss of revenue caused by the departure of additional counties. Given carry-forward funds from FY11, FY12 should be largely business as usual with at least some carry-forward money to buffer next year's shortfalls; however, FY13 income will be reduced and have a significant impact on staffing and what we can realistically accomplish. During this fiscal year, we will focus on several important deliverables that help us prepare for additional grant writing and changing work environments, including:

- 1) Development and completion of a new MRB strategic plan,
- 2) Development of comprehensive clean-up goals and our biennial progress report,
- 3) Outreach forums on contemporary basin issues and sediment management,
- 4) Alternative BMP implementation via Conservation Marketplace of Minnesota,
- 5) Implementation of new projects, such as the Nutrient Tracking Tool,
- 6) Grant writing for both internal and external partners,
- 7) Determining a pathway for restructuring, and
- 8) Finding a way to engage and bring to fruition a technical/citizen advisory team.

To better relate the various goals and tasks of the MRB to the duties laid out in the statute that created us, we have this year provided deliverables that specifically address each duty. This approach provides a much needed visual correlation between our work efforts and what we have been asked to do. We will continue to strive to engage our basin partners in working together to clean up the Minnesota River.

It is the Executive Director's goal that the upcoming year will bring a sense of great accomplishment for the MRB staff, delegates, and partners. The next year will also bring several significant planning and staffing dilemmas as we face shortfalls in FY13. The Conservation Marketplace of Minnesota grant will officially come to an end, but it is our sincere hope that the project will continue to move forward. New efforts, such as verifying the potential utility of a Nutrient Tracking Tool will also get underway. The Mount Simon effort will continue to remain as one of our projects, and we plan to develop a list of contemporary issues facing the basin. There will be no shortage of tasks to complete and we will work diligently to complete the deliverables and bring forward strategic goals that will make a difference in the basin – deliverables that will be of great value to our partners.

SECTION 1 - FY11 WORK PLAN PROGRESS REPORT

The acronyms are as follows: Executive Director (E), Program Director (P), Office Manager (O), and Contractual Services (C).

GOAL 1. Effectively manage the Conservation Marketplace of Minnesota (CMM) Initiative.

- A) Provide administrative support services (accounting, contracting, invoicing, match tracking, and financial reporting) for the CMM project team, including management of the grants administration team. (O)
- B) Coordinate and facilitate the National CMM Advisory Team, including setting up meetings, assisting with travel, establishing and clarifying duties, and working with partners to establish and distribute agendas. (P)
- C) Coordinate and facilitate the Policy Committee for the Minnesota River Basin, including setting up meetings, assisting with travel, establishing and clarifying duties, securing policy that works for all areas of the Minnesota River Basin, and working with partners to establish and distribute agendas. (E,O)
- D) Coordinate and facilitate the Technical Committee(s) for project areas within the Minnesota River Basin, including setting up meetings, assisting with travel, clarifying duties, and working with partners to establish and distribute agendas. (S,P)
- E) Secure additional funding to continue serving as a CMM project advocate and liaison among the MRB, existing partners, and other interested entities from within and outside the MN River Basin. Assisting with project tasks, including grant submission, as requested from project partners. (E,O,P,S,C)

The Conservation Marketplace of Minnesota (CMM) was again a major initiative for the Minnesota River Board in FY11. The staff collectively worked on this project and Goals 1A through 1E have all been fully met. We will continue with these items and meet final grant deliverables, including the completion of the monitoring plan, aggregation of project applications, and completion of the final report next spring (see CMM in FY12 Goals). Goal 1A has been completed to the satisfaction of the National Fish and Wildlife Foundation (federal grant manager). Multiple budget amendments and a no-cost grant extension have been submitted/approved, allowing all partners to better utilize the available funds and meet the grant deliverables. As part of Goal 1B, the National Advisory Team held two conference calls during the last fiscal cycle and met in Shakopee for the Annual CMM Meeting. The Annual Meeting was hosted by our CMM partner Rural Advantage in the Middle and Lower Minnesota Watershed work area and included a set of professional lectures, a tour, and some very good brainstorming discussion. Goal 1C was achieved and the CMM Policy Team met on three separate occasions to discuss and set forth guidance on CMM direction in the Minnesota River Basin, reviewing and approving the initial procedural guides, financial processes, and forms that will be utilized for project enrollment. Goal 1D was achieved by the staff as assigned, meeting more than 5 times to establish procedures, forms, and direction suggestions for consideration by the Policy team. Goal 1E involved significant time investment to work on outreach and marketing to promote the project and entice buyers to fund ecosystem services projects. In addition, several grant applications were submitted and funded application work plans and budgets were established. Additional grant information is listed in our report for Goal 2G below. During FY11, the CMM team received word that a MPCA Section 319 grant application entitled "Minnesota Pollution Reduction and Economic Test with Nutrient Trading Tool" was funded. Work immediately began on the development of the final work plan and budgets, with the project scheduled to begin in FY12. The Policy Team and staff invested considerable time this past year into a discussion regarding CMM's potential to sponsor an agricultural wetland bank. This bank would have provided an opportunity for producers to mitigate impaired wetlands in their crop fields with restored wetlands elsewhere; however, this program was moved by state leadership to a private organization in another part of the state and is no longer under consideration.

GOAL 2. Efficiently complete MRB administrative duties on schedule and be accountable for expenditures of public funds.

- A) Prepare, obtain MRB and BWSR approval for, and implement FY11 Work Plan and budget. (E,O,P,S,C)
- B) Provide a progress report to BWSR as noted in the grant agreements. (E)
- C) Complete Executive Committee planning sessions in 10/10 and 4/11. (E)
- D) Complete an annual internal audit. (O)
- E) Conduct performance reviews as scheduled for the staff (E).
- F) Hold 6 full board meetings (bi-monthly), one of which will serve as the annual meeting, and two of which will be in partnership with basin organizations. (E,P,O)
- G) Write at least two grant and/or contract applications to bring external funds into the MRB to support our financial foundation and bring needed projects to the basin and provide significant cash and in-kind contributions to the projects. (E,P,O,S,C)
- H) Visit each county board during the next fiscal year to deliver project updates, discuss report findings, and review future efforts. (E)
- I) Develop a set of committees to better deliver MRB programs and gather MRB input and work with delegates to determine committee assignments.

During the past fiscal year, Executive Director Fisher accepted a partial reassignment to work on a special project in the Minnesota State Colleges and Universities Chancellor's Office. As such, he requested a leave of absence from his duties as Executive Director. To fill this vacancy, an interim Director was hired; however, after two weeks on the job, the individual resigned to pursue other ventures. Given the timing, it was decided not to refill the position and work with existing staff and some time the Director Fisher could provide. Given our situation, Goal 2A has only been partially achieved, as some aspects of the FY11 Work Plan (noted in their respective locations below) were not achieved, partially achieved, or delayed. As for Goal 2B, all required reporting has been completed and submitted to the best of my knowledge. As noted in Goal 2C, two executive committee planning sessions were completed, including a delayed second meeting that was postponed actually into early FY12, as we awaited final word from our legislation about funding. Goal 2D was also met, with an annual audit (FY10) completed September 1, 2010 with an audit report submitted and approved to the Board at our September meeting. Goal 2E was also completed. The Executive Committee completed the annual evaluation of the executive director and the executive direction completed the evaluations of the remaining staff. The executive director's evaluation is on file in our main office; however, staff evaluations are confidential. Goal 2F was fulfilled and we are now attempting to balance locations across the basin. Our annual meeting was held on 7/19/10 in New Ulm, with additional regular meetings being held in Montevideo (2), Gaylord (2), and Olivia. The New Ulm meeting was co-sponsored by the Coalition for a Clean Minnesota River and the Olivia meeting included partnership with Renville County Water Planning and their Soil and Water Conservation District. Goal 2G was fulfilled with grants being submitted that included:

- MN Pollution Control Agency, "Linking Water Storage BMPs to Watershed Goals," \$292,140 (funded)
- McKnight Foundation, "Strategic Planning to Engage Buyers in Ecosystem Markets in Minnesota," \$25,000 (funded)
- MN Dept. of Health, "Source Water Protection Plan Implementation," \$10,000 (in collaboration with City of Saint Peter, MN) (funded)
- NRCS Conservation Innovation Grant, "Using Ecosystem Markets to Provide Land Managers with a Variety of Conservation Funding Options," \$824,815 (not funded)

Goal 2H was not fully completed due to Executive Director Fisher's change in assignment. In addition, several counties indicated that they did not have time for us to visit. Therefore, we changed our approach and notified counties that were available if they would like to visit with us. We did visit with Scott and Dakota counties. Goal 2I was not completed due to lack of time and delegate involvement. We will attempt this again in FY12.

GOAL 3. Formalize the structure, roles, and procedures for the technical and citizen advisory committee and fully implement and engage these partners.

- A) Facilitate ongoing development meetings of the technical and citizen advisory group(s), provide funding as available to complete work sessions, and develop a name for the group under which they will operate. (E)
- B) Work with the advisory team members and MRB delegates to develop and identify a structure in which the advisory team will operate, roles that this team can assist with, roles that the MRB can fulfill to assist our technical and citizen stakeholders, and procedures to improve communication about basin initiatives, policy development, and funding. (E)
- C) Utilize the expertise of the technical and citizen advisory team to review grant applications as appropriate, develop an agenda for and deliver the fall professionals assembly, review MRB structure and make recommendations to the delegates, and identify policy and in-service focal points on which the MRB can deliver assistance. (E)

Goal 3 was solely the responsibility of the executive director. Given his change in work status during this past year, combined with continued challenges to launch an active advisory committee, limited progress was made on this goal. Because Goal 3A could not be achieved, Goal 3B was also not completed. Some progress was made, however, with a general agreement that dividing the basin into three advisory areas would be appropriate – including western, southern, and eastern sets of major watersheds. Additional discussion was held regarding the incorporation of the advisory team members directly into a limited delegate status on the Board. Goal 3C was partially accomplished with advisory board members serving as program grant reviewers and assisting in collection of input regarding MRB structure. Portions of Goal 3 will be included in the FY12 Work Plan.

GOAL 4. Work with the Water Resources Center at Minnesota State Mankato, the MPCA Watershed Network, and the Minnesota River Watershed Alliance to develop an ongoing outreach effort as a participant in regular communications.

- A) Collaborate with the communication entities listed above to implement a monthly MRB segment in one or more existing watershed communication programs, including features regarding delegates, county staff, watershed professionals, projects, policy issues, etc... (C,P,E)
- B) Contract with communications staff at the Water Resources Center for assistance on completing this task. (E)
- C) Become a regular participant in the Minnesota River Watershed Alliance and MPCA watershed network and provide materials to support improved visibility for the MRB (P)

All of the tasks set forth in Goal 4 were achieved. By completing task 2B, we contracted with Scott Kudelka from the Water Resources Center. Mr. Kudelka provided assistance with communications/reporting that increased MRB visibility; including multiple press releases and the development of numerous MRB delegate and project spotlights (Goal 4A). In addition, the Executive Director arranged with assistance from Minnesota State University Students to complete a website revision – making our online calling card more appealing and easier to use. As part of Goal 4C, Susie Carlin attended Watershed Alliance meetings and continued to serve as a member of the Steering Committee. Ms. Carlin also participated in Watershed Alliance activities including organization of the Friendship Tours and the 2011 Paddler Patch Award Presentations. She also attended the biannual meetings of the MPCA Watershed Professionals Network and served on the planning committee for the Spring 2011 meeting.

GOAL 5. Promote and complete a program of continuing education, outreach, and partnership to enhance and encourage ongoing interest and work in Minnesota River Basin improvement efforts.

- A) Utilize the expertise of the Technical Committee to identify the educational needs of the basin and work with the technical committee to prioritize programming dollar expenditures. (E,P)
- B) Complete an RFP to provide local programming assistance to support workshops, continuing education, and/or other educational opportunities, using the technical and citizen advisory team as the application review team. (E)
- C) Complete at least one major and one minor workshop/outreach event in the basin to support the needs of basin citizens, professionals, and/or elected officials. (E,P,S)

Given the challenges to establish an effective technical committee, Goal 5A was not formally achieved; however, informally, the staff gathered information from various participants and assisted with various programs that were needed across the basin. As a result, Goal 5C was achieved via our sponsorship and assistance to bring together a group of professionals for a Ravine Management Charette and we assisted in the development and implementation of two Friendship tours between Minnesota River and Lake Pepin residents. Our staff assisted in a wide range of other outreach ranging from Blue Thumb and watershed events, to lake association meetings and professional conferences. The Minnesota River Board also partnered on River Revival – a documentary that aired on KARE 11 this past summer. In addition, the Board co-sponsored a public viewing event for "River Revival" at which various speakers, including elected officials spoke.

GOAL 6. Serve as an ongoing legislative, funding, and research resource for the basin.

- A) Work with the advisory group and delegates to identify legislative issues that the MRB could provide support and advocacy on behalf of. (E)
- B) Provide services as requested to support the various watershed and water quality interests in the Minnesota River basin, allowing the voice of 38 counties to be heard on issues in local areas, St. Paul, across the region, and beyond. (E,P)
- C) Provide assistance to agencies, counties, watersheds, etc.... in the dissemination of information regarding policy changes, funding opportunities, and staffing/project service options as requested. (E,P)
- D) Provide grant preparation assistance as requested, with a target of at least 2 collaborations that benefit multiple major watersheds and/or local partners. (E,P)
- E) Provide a minimum of 2 presentations on behalf of the MRB and our partners as requested. (E,P,O,S,C)
- F) Continue involvement in and track the progress of basin management legislation. (E)

Goal 6 efforts this past year were largely directed at one significant issue – funding. Goal 6A was not formally achieved, again due to the lack of an active advisory committee. The staff made every effort to let basin partners know that we were here as a resource should any needs come up. Therefore Goals 6B-6D were on an "as requested" basis. We provided grant assistance to the Friends of the Minnesota Valley and their partners attempting to secure funding as part of the application process to the Clean Water Fund. Very few other requests came forward. We did partner with the Water Resources Center and are now providing assistance to the City of Waseca and anticipate that we will be providing grant writing services there. We provided letters of support for Area II to remain funded, and also discussed a variety of other issues with area legislators. Most requests/outreach as a part of this goal came in the form of speaking engagements regarding Conservation Marketplace of Minnesota. Therefore, as part of Goal 6E, we provided the following presentations:

- Hacker BM, Carlin, SDG. June 2011. *Developing and Supporting Ecosystem Markets in Minnesota. Ecosystem Markets, Madison, WI.*
- Carlin, SDG. *Ecosystem Service Payments: Valuing Nature's Gifts. April 2011. National Park Service's Mississippi River Forum. Science Museum of Minnesota, Saint Paul, MN.*
- Carlin SDG, Hacker BM, Raber C. February 2011. *Conservation Marketplace of Minnesota. MN Pollution Control Agency: Nutrients in Our Environment. Rochester, MN. (poster)*
- Carlin, SDG. December 2010. *A Regional Approach to Ecosystem Service Markets. Minnesota. Association of Watershed Districts. Alexandria, MN.*
- Fisher SJ, Carlin SDG. October 2010. *Conservation Marketplace of Minnesota: Development and Testing of Ecosystem Services Markets. Minnesota Water Resources Conference, Saint Paul, MN. (poster)*
- Carlin SDG, Klang J, Brandt B, Fisher SJ, Fuchs D, Green T, Hacker BM, Kavorik H, Meschke L, Raber C. July 2010. *Building a Transferable Market Infrastructure for Ecosystem Services. Soil & Water Conservation Society, Saint Louis, MO.*

As part of Goal 6F, we continued to engage in discussion with partners from across the basin regarding basin-level management; however, due to higher priorities in the legislature, the basin bill was not heard this past session.

GOAL 7. Complete a substantive outreach effort to deliver the Minnesota River Progress Report results (developed as part of the FY09 and FY10 BWSR grant) to basin communities, water quality improvement stakeholders, legislators, and agencies.

- A) Deliver the report for review by legislators, agency staff, conservation professionals, MRB delegates, the basin technical team, and others and establish a series of meetings to discuss the product and mechanisms for improvement (E,P)
- B) Formally deliver and present the Biennial Progress Report to the MRB delegates and partners (E,C)
- C) In conjunction with other progress reports, trend assessments, and basin planning efforts, engage our watershed partners in EACH major watershed from across the basin to deliver a message of basin water quality progress, continued challenges, and community involvement – using these opportunities to determine what the focus of the next biennial report will be – due to come out June 2012. (E,P,C)

The 2010 Progress Report was made available and several notices went out to constituents, including all of our basin legislators. As a result, Goal 7A was partially completed; however, the series of meetings we hoped to bring forth did not materialize – we will again attempt to set up these meetings in FY12. Goal 7B was met and the report was formally presented to the MRB delegates and partners. Goal 7C was not met due to lack of meetings as part of Goal 7A. We will again incorporate this into our FY12 work plan.

GOAL 8. Recognize the contributions of professionals, citizens, and students in the Minnesota River Basin.

- A) Provide an awards/incentive program for junior and senior high students from the basin participating in sanctioned science fair programs. (P)
- B) Provide an undergraduate scholarship and an undergraduate research award for two students studying in the basin that are focused on water quality issues. (E,P)
- C) Award two deserving participants from the basin with the "Confluence" and "Tributary" awards. (E,O,P)
- D) Institute a delegate, watershed, and project spotlight section in future watershed communications associated with Goal 4 above. (E,P,C,O,S)

Goal 8 continues to be a strong area of performance for the staff. As part of Goal 8A, awards were presented to the following students:

- Kara Schwenn, Hidden Valley Elementary School, Savage
 - Title: What Are the Problems with Water in My Community?
- William Tauer, Loyola Catholic School, Mankato
 - Title: Effect of Erosion on Different Types of Soil
- Thomas Whittenburg, Sioux Trail Elementary School, Burnsville
 - Title: Water You're Drinking
- Alexandra Sandquist, John Ireland School, Saint Peter
 - Title: The Big Flood...Again!
- Parker Breza, St. Hubert School, Chanhassen
 - Title: Fuel It Up With Algae
- Mark Broderius, Lincoln Junior High School, Glencoe
 - Title: What is the Water Quality of Buffalo Creek Before, During, and After it Passes by a Food Processing Plant and the City of Glencoe?
- Andrew Steffl, St. Mary's Senior High School, Sleepy Eye
 - Title: The Effects of Lanthanum (III) Chloride, Aluminum Potassium Sulfate, and Calcium Hydroxide on Phosphorous Runoff
- Rena Weis, New Prague High School, New Prague
 - Title: Reduction of Fertilizer Rates By Carbon Sequestration of Biochar

Goal 8B was partially achieved via the provision of undergraduate scholarships that were awarded to Shreya Vaidya at Minnesota State University, Mankato and Jordan Austin at Southwest Minnesota State University. Undergraduate research awards were not issued due to a lack of qualified applicants. Our Goal 8C awards went to two long-time MRB supporters and conservationists at our Annual Meeting in New Ulm (July 2010) – Senator Dennis Frederickson and CCMR Founder Scott Sparlin. Substantial progress was made on Goal 8D, with delegate and MRB project spotlights, along with numerous press releases regarding our work were completed and set out to basin newspapers and included in communications from the MPCA and the Minnesota River Watershed Alliance.

GOAL 9. Establish the Blue Thumb program into areas within the Minnesota River basin by working with the Rice Creek Watershed District and various partners to deliver information and demonstrate how this program could work here.

- A) Work with MN River Basin partners to determine some potentially interested parties and work to have these groups enroll in the Blue Thumb Program during the application period. (P)
- B) Identify appropriate venues and develop information materials for the dissemination of information regarding the Blue Thumb program among Minnesota River Basin stakeholders. (P)
- C) Work with at least one basin entity to demonstrate a Blue Thumb related program or project. (P)

Goal 9A was advanced via letters and informational packets that were sent out to previously identified SWCDs within the basin, advising them of the benefits of Blue Thumb enrollment and the open application period (December 2010). Dawn Pape, Blue Thumb Coordinator, attended the November 2011 MRB meeting to share with delegates the history, successes, and opportunities for statewide expansion of the program. To the best of our knowledge, none of our partners applied for the program, but several did show interest. As part of Goal 9B, we distributed Blue Thumb materials (while also promoting MRB & CMM) at the following public events: Paddle Patch Celebration (Mankato, 7/10); Minnesota State Fair (9/10); Living Green Expo (5/11). Also distributed the material at meetings of technical partners, including GBERBA Tech meetings, MPCA Watershed Professionals Network, and Watershed Alliance meetings. Although information was provided and we worked to promote Blue Thumb in the basin, no actual projects materialized, this Goal 9C was not achieved.

GOAL 10. Status evaluations of priority issues to county delegates and basin citizens and continued evaluation of progress in the basin.

- A) Deliver the results of the FY10 survey on status of ditch redeterminations in the basin counties to the MRB and develop a plan to disseminate the information. (E)
- B) Continue to refine and develop a report on aquifer state of knowledge in the Minnesota River Basin. The foundation will be based on a preliminary report prepared by a MSU, Mankato student on behalf of the MRB. Information will include monitoring status, research needs, known information about contaminants, management strategies, and policy under the MRB territory. (E,P).
- C) Complete an assessment of jurisdictional overlap, including a GIS layer that shows all jurisdictional areas, regarding water, watershed, and other water-related issues. Work with our basin partners to secure such information to identify discussion points. (E,C)
- D) Develop a presentation on the process of monitoring and status of Biota in the Basin – including use as a progress measure and improvements that have been seen. (E,P)
- E) Work with collaborators to secure funds and provide assistance for a Lake Pepin stakeholder exchange that brings Lake Pepin citizens and leaders to our area and brings ours there to build bridges and better identify the mutual problems that exist. (P,E)
- F) As part of the outreach efforts listed above, bring in a hypoxia speaker to bring the MRB delegates the most up to date information that is available. (E,P)

Goal 10A was achieved via the delivery of a ditch redetermination presentation to the MRB delegates and our partners. In addition, results were presented to the Ditch Working Group sponsored by the Board of Water and Soil Resources. Goal 10B did not advance; however, we continue to work with 7 permit holders that utilize Mount Simon aquifer water and this will become a more substantial focus in FY12. Goal 10C was intended to follow the establishment of our technical advisory committee; however, given that group did not materialize; we failed to secure the appropriate information needed to fully complete the assessment. Some work has been completed and we will finish this effort in FY12. Goal 10D was partially achieved as we assisted in the completion of a biotic study in the Rush and High Island watersheds. Over the past year, however, our attentions were diverted to the biota report from MPCA that indicated limited improvements in the basin – and the backlash of reactions to the report. During this past year, the executive director launched an effort to secure graduate students to complete more research in this area. Goal 10D will be forwarded to FY12 for further consideration. Goal 10E was achieved through a partnership with Clean Up the River Environment (CURE) and the Minnesota Agricultural Water Resources Coalition. As a team, Upstream-Downstream Friendship Tours were completed in August/September 2010. Susie Carlin also assisted in the three follow-up events to strengthen ties with those participants. Following the success of the first exchange, the partners worked together to earn \$25,000 for future efforts. The Bush Foundation launched the Incommons Collaboration Challenge in November 2010. More than 800 nonprofit organizations were invited to send in written descriptions of their unique collaborative projects to a new Web site created by the foundation. The Upstream-Downstream Friendship Tour was one of three finalists. Short 4-minute video explanations of the three finalist projects were made and then posted to the Internet where the public was invited to vote for their favorite collaboration over a 10-day period. During that time more than 3,000 online votes were cast, with the Friendship Tour winning the vote and receiving \$25,000, to be managed by CURE. Although we attempted to bring in a hypoxia speaker as part of Goal 10F, we were unable to secure a speaker or make the arrangements. We will continue to look into this if demand re-emerges.

SECTION 2 – FY12 GOALS AND PROGRESS MEASURES

NOTE: Based on input from local partners, the MRB Executive Committee, and agency and legislative leadership, the FY12 work plan has been organized to better demonstrate how our individual goals satisfy the duties outlined in Minnesota Statute 103F.378 (text included below). Therefore, for each subdivision and duty, at least one deliverable that helps us achieve the statutory requirement is listed. The Executive Director reserves the right to modify these work duties as needed and is responsible for completing and/or delegating duties to the staff to ensure satisfactory progress.

103F.378 MINNESOTA RIVER BOARD.

Subdivision 1. Duties.

The Minnesota River Board, established under section 471.59 for the purpose of coordinating efforts to improve water quality in the Minnesota River Basin and achieving the goal of making the Minnesota River suitable for fishing and swimming by providing leadership, building partnerships, and supporting watershed programs in collaboration with the Water Resources Center at Minnesota State University, Mankato, has the following duties:

- (1) compiling and submitting to the governor, the legislature, the Board of Water and Soil Resources, and all watershed partners:
 - (i) comprehensive water quality improvement and watershed management cleanup goals for the Minnesota River Basin, prepared by reviewing and summarizing the work plans of the 12 major watersheds, basin counties, state agencies, and other partners active in water quality programming;
 - (ii) a biennial report highlighting the results and progress of projects in the 12 major watersheds of the Minnesota River Basin; and
 - (iii) periodic basinwide water quality improvement plans;

Deliverable(s):

- A) Development of a new Strategic Plan
 - a. Complete an exercise to gather input on elements of a new strategic plan
 - b. Develop a limited number of strategic plan goals that aim to improve basinwide water quality.
- B) Report on Comprehensive Cleanup Goals for the Minnesota River Basin
 - a. Inventory all existing water/work plans from entities in the Basin,
 - b. Complete a review and summary of identified water/work plans, and
 - c. Identify and report commonalities among water/work plans, integrate plans to develop several basin-wide cleanup goals, and identify areas of assistance that the MRB can provide.
- C) 2012 Biennial Progress Report
 - a. Work with technical staff from all areas identified above with existing water plans to identify areas of progress and areas that remain challenging.
 - b. Highlight progress measures and overview challenges in a 2012 Report.

(2) advising on water quality and watershed management projects, including implementation and coordination of TMDLs under the Clean Water Legacy Act as provided in chapter 114D, and promotion of data incorporation into the planning processes associated with county water plans, watershed plans, and, as appropriate, planning and zoning decisions in the Minnesota River Basin;

Deliverable(s):

- A) Provision of technical expertise to basin partners
 - a. Provide data, technical expertise, testimony, conflict resolution as requested.

B) Provision of TMDL comments

- a. Contact the MPCA and other watershed partners and request to be added as a stakeholder on any ongoing TMDL projects, allowing the Board an opportunity to respond to results and participate in public meetings.

(3) conducting public meetings of the board on at least a quarterly basis at locations within the Minnesota River Basin;

Deliverable(s):

A) Completion of 6 Meetings of the Board

- a. Five regular board meetings, each of which will include a business meeting and education component, to include speakers, tours, and/or other activities. At least one of these meetings shall include a significant partnership with a local stakeholder.
- b. The sixth meeting shall represent the Board's annual meeting and conference – a typically ¾ day event that includes a registration fee, lunch, and program that explores local, regional, and national current issues.
- c. Meetings will be divided into three work areas. Two in each of the following work areas: Western Basin, Central Basin, and Eastern Basin.

(4) conducting an ongoing information and education program concerning the status of the Minnesota River Basin and sponsoring and coordinating continuing education opportunities in cooperation with watershed partners in the basin;

Deliverable(s):

A) Water Professionals Conference

- a. Convene a Water Professionals Conference to discuss contemporary issues in the basin. (similar forum completed in 2010)
- b. Include a segment of use of biota in water management and prepare a presentation on how biotic indices and data can be used to assess results.

B) Educational Segments at MRB Meetings

- a. As part of each MRB meeting, maintain an educational component in cooperation with local watershed partners and/or provision of basin-wide issues.

C) Scientific Research Forum

- a. Convene at least one research forum on a topic of interest to basin partners, including water planners, SWCD staff, elected officials, agency staff, agricultural producers, and others. (Anticipated January 2012 conference on Near-Source Sediment Management)

(5) providing periodic reports and budget requests to the governor's office, appropriate committees of the legislature, and the Board of Water and Soil Resources regarding progress on meeting river water quality management goals, future funding required for this effort, and biennial legislative requests to provide funding for the effort;

Deliverable(s):

A) See Reports to be delivered under Subdivision 1.1.

B) Extended MRB Legislative Request

- a. Work with MRB member counties to determine immediate and long-term water planning expenditure needs to meet basin-wide goals.

(6) coordinating and promoting, in partnership with and on behalf of water quality and watershed management stakeholders, policy development and implementation of projects that affect multiple major watersheds and target reduction of pollutant inputs into the Minnesota River;

Deliverable(s):

A) Conservation Marketplace of Minnesota (CMM)

- a. Complete the final year of the CMM project, including completion of final report and all budgeting requirements,
- b. Ongoing development and marketing of potential market-based projects, and
- c. Continued effort to secure long-term, stable funding options for CMM.

B) Nutrient Tracking Tool (NTT) Evaluation

- a. Identify BMP sites to test, validate the Nutrient Tracking Tool (NTT), and development of curriculum.
- b. Effectively manage contractual, financial, and research aspects of the project.

C) Water Storage Project

- a. Develop work plan for this 319-approved grant in anticipation of start-up by the start of FY13.
- b. Provide fact sheet about NTT and water storage projects to all basin staff.

(7) facilitating the identification of and application for water quality improvement implementation and research funding for projects that affect multiple major watersheds and benefit local watershed efforts and providing assistance to local project managers, partners, state agencies, the legislature, or the governor's office;

Deliverable(s):

A) Provision of grant-writing assistance

- a. Provide assistance with grant applications to basin partners as requested

B) External Funding Applications

- a. Prepare and submit grant application(s) requesting a collective minimum of at least \$250,000 in assistance – with the MRB as a sponsor or collaborator.

(8) advocating to promote and advance basin issues identified by county and watershed partners at the legislature, among the state agencies, and with the governor;

Deliverable(s):

A) Basin Legislation

- a. Continue to track and communicate with local partners and legislative sponsors of basin legislation, and other bills of interest.

B) Prepare a contemporary issues statement

- a. Utilize the Water Professionals forum to gather input on areas of concern among partners in the basin, along with input from other networks.
- b. Summarize the collective concerns and prepare a brief report to the legislature, agency leadership, and the governor's office about the issues of greatest concern to our basin.

(9) promoting cooperation among the numerous water quality and watershed management units in the basin;

Deliverable(s):

A) Networking Involvement

- a. Continue maintaining involvement with the Minnesota River Watershed Alliance and the MPCA Watershed Network, along with other participation that helps advance this duty.

B) Understanding water management jurisdictions

- a. Prepare a layered product that shows all of the water-based management jurisdictions in the Minnesota River Basin to enhance partnership discussions among our delegates.

(10) providing conflict resolution and meeting facilitation services as requested; and

Deliverable(s):

A) Mount Simon Aquifer Facillitation

- a. Continue serving as the liaison between the Minnesota Department of Natural Resources and 7 Mount Simon aquifer permit holders.
- b. Facillitate ongoing work needed to collect data, provide reports, handle finances, and address concerns between/among the involved parties.

(11) striving to advance basinwide water quality improvements while promoting both local projects and managing regional initiatives.

Deliverable(s):

A) Local Outreach Grants

- a. Provide a grant program to assist local government units to promote regional and basinwide priorities as funding allows.

B) Recognition and Advancement of Conservation Efforts

- a. Continue annual recognition of people making a difference in the basin through "Confluence" and "Tributary" recognitions.
- b. Continue providing recognitions for students working on water-based projects in the Regional Science Fairs.

C) Communications

- a. This Duty will be approached via monthly communications and speaking engagements that cover basinwide and regional news, along with highlighting and promoting local projects, MRB delegates, and staff.

Subd. 2. Membership; advisory committee.

(a) Upon acceptance of the joint powers agreement and payment of annual dues, each member county shall appoint one county commissioner as its delegate to the board and one county commissioner as an alternate. Delegates and alternates shall serve at the pleasure of the county board that appointed them. The delegates shall elect a chair and other officers as determined by the board.

Work Plan Task(s):

- A) Develop a set of committees to help the MRB staff complete the required tasks listed above and to assist the staff in managing Board operations.
- B) Continue to assess a plan to restructure the MRB to be more inclusive of our basin partners, and prepare a recommendation for implementation by FY13.

(b) An advisory committee, appointed by the chair of the Minnesota River Board, shall be established to provide input on policy development, technical advances, continuing education programs, and other areas of concern identified by the delegates to the board or the advisory committee. Members of the advisory committee shall serve three-year terms. Members shall serve until the end of their terms or until a successor has been appointed, whichever is later. The advisory committee may consist of representatives from county water planning entities, county planning and zoning, county environmental services, drainage authorities, soil and water conservation districts, watershed districts, watershed projects, watershed management organizations, municipalities, special interest groups, citizens, agricultural organizations, state agencies, sporting organizations, and other entities as identified by the advisory committee or the delegates. The advisory committee serves as a forum to raise concerns that the Minnesota River Board should address.

Work Plan Task(s):

- A) Prepare a formal procedural recommendation on a three-area technical advisory committee, including Eastern, Central, and Western basin work areas.
- B) Once 'A' is completed and approved by the MRB, initiate invitations to attend the inaugural meeting and gather additional input to aid in areas listed above.
- C) Provide a communication opportunity to fast-track technical and citizen concerns to the Board – and to gather input on legislative and funding issues that need attention.
- D) Utilize advisory committee members to review and rank programming applications as needed.

FY12 Budget

Line Items (details listed below budget)	Funding Source Used for Line Item Expense FY12			Totals	FY11 Difference
	State of MN	County Funds*	External**		
Income					
Funds Carried Forward	\$18,444	\$45,851	\$13,890	\$78,185	\$63,805
State of Minnesota - BWSR Grant	\$42,000			\$42,000	(\$42,000)
County Dues Collection		\$35,397		\$35,397	(\$6,188)
MCIT Insurance Refund (estimated)		\$2,398		\$2,398	\$1,143
Indirect Cost Recovery (estimated)		\$23,671		\$23,671	(\$5,959)
2008 CIG - Conservation Marketplace			\$322,607	\$322,607	(\$47,761)
NTT 319 Grant			\$28,710	\$28,710	\$28,710
Conference Registrations		\$6,690		\$6,690	\$6,690
Mt Simon Monitoring (estimated)			\$4,670	\$4,670	(\$4,207)
Totals	\$60,444	\$114,007	\$369,877	\$544,328	(\$5,767)
<u>Expenses</u>					
<i>Staff Positions</i>					
0.50 FTE Executive Director		\$46,648	\$9,097	\$55,745	\$13,539
0.49 FTE Office/Grants Manager		\$5,655	\$12,708	\$18,363	(\$1,594)
0.8 FTE Program Director	\$48,053	\$1,887		\$49,940	\$8,099
1.0 FTE Ecosystem Serv. Spec.			\$49,996	\$49,996	\$11,058
Student Worker(s)	\$1,000	\$1,000		\$2,000	(\$2,000)
Fringe Benefits are now included above					(\$45,605)
MCIT Insurance		\$3,729		\$3,729	\$794
MRB Meeting Expenses		\$900		\$900	(\$300)
Communications	\$750	\$500		\$1,250	(\$12,783)
Travel	\$1,716	\$3,008	\$1,206	\$5,930	(\$7,070)
Printing	\$1,180	\$1,050		\$2,230	(\$1,070)
Awards/Student Incentives Program		\$500		\$500	(\$1,075)
Supplies/Equipment/Maintenance		\$500	\$5,942	\$6,442	\$3,022
Misc CIG/CMM Expenses			\$14,645	\$14,645	\$4,645
Legal Retainer		\$1,200	\$1,200	\$2,400	\$0
Technical Advisory Committee Expenses	\$500	\$500		\$1,000	(\$1,000)
MSU Contract Indirect Costs (8%)	\$4,245	\$5,105	\$5,840	\$15,190	(\$2,077)
Outreach/Programming	\$3,000	\$9,000		\$12,000	(\$1,623)
Subcontracts/contractual services			\$257,723	\$257,723	(\$15,072)
Reserve Funds		\$32,825	\$11,520	\$44,345	Not applicable
Total Expenditures	\$60,444	\$114,007	\$369,877	\$544,328	(\$50,112)

See budget details on next two pages.

FY12 Income Details

- Funds carried forward as remaining balances from previous year.
- State of MN: the MN legislature approved a grant through BWSR of \$42,000 to aid in the administration, outreach, and reporting progress in the Basin.
- County Income: Dues collected from member counties in 2011 for use during the FY12 fiscal year. Dues were held stable for FY12; however dues were lost from three withdrawn counties.
- MCIT Insurance Refund: The estimated value of our dividend check from MCIT Insurance.
- Indirect Cost Recovery – 8% cost recovery from the CIG grant, 319 NTT grant, and Mount Simon Project data collection and administration.
- CIG (CMM) Contract Allowance: Income to cover expenditures associated with the Conservation Marketplace of Minnesota project – both internal and external expenditures.
- Nutrient Trading Tool (NTT) 319 grant Contract Allowance: Income to cover expenditures associated with the 319 NTT project – both internal and external expenditures.
- Conference Registrations: Estimated income from registration fees collected at the MRB annual meeting (\$690) and additional sponsored conferences or forums (\$6,000)
- Mt. Simon Monitoring: Payment for services rendered and reimbursement for expenditures from Mt Simon Permit Holders and the MN Department of Natural Resources to facilitate, mediate, and provide data management to an aquifer monitoring initiative.

FY 12 Expenditure Details

- Executive Director: 50% of the Executive Director's annual salary and fringe benefits spread out based on where work will be completed.
- Administrative Assistant: Funds a 49% FTE Office Manager (wages+fringe) to facilitate the grants management needs, MRB meeting coordination, Mt. Simon project administration, and day-to-day administration of funds, grants, and accounting and meeting logistic needs.
- Program Director: Being tied to State Funding, this position will be funded based on the appropriation from the state of Minnesota, with some supplemental funding used from the CIG/CMM and other sources. Position proposed to be reduced from 0.94 to 0.80 (wages + fringe) beginning November 1, 2011. Covered approximately 50% from new BWSR grant and then increased coverage provided by carryover from FY11. Position now has communications duties previously covered under contractual communications.
- Ecosystem Services Specialist – a 1.0 FTE position (wages +fringe) fully funded by the CIG and NTT 319 grants contracted in association with the Greater Blue Earth River Basin Alliance.
- Student Worker(s): Funding for a partial summer intern or graduate student to assist with a variety of tasks.
- MCIT Insurance: Estimated Annual Insurance Payment

- MRB Meeting Expenses: Base expenses for 5 MRB business meetings and 2 executive committee planning sessions, including room rental and refreshments. Annual meeting expenses, tours, speaker fees, per diem and other travel costs, etc... are budgeted for in Programming and Travel below.
- Communications: Postage (\$500) and MRB Office phones (\$750)
- Travel: Vehicle Rental (estimated at 6 days per month at \$42/day = \$3,024), Staff and Guest Lodging, Travel, Registration fees, and per diem (\$1,200); executive committee per diem (\$500); Grant-based travel is also included (\$1,206)
- Printing: Preparation of various reports, newsletters, stationary needs, in-house copy needs via printer lease at MSU (\$2,230)
- Awards Program: "Tributary" and "Confluence" Awards (\$50), Science Fair Awards (\$450, 4 Sr/Jr awards at \$50, 8 Elementary awards at \$25, plus \$50 for supplies)
- Supplies/Equipment/Maintenance: Various office supplies, software upgrades, chairs, etc... as needed, primarily in support of the CIG/CMM/319 projects, but also for general MRB office needs, including maintenance on computers and other equipment.
- Misc CIG/CMM Expenses include such items as conference calls, meeting expenses, etc... that are specifically unique to the CMM project.
- Legal Retainer: \$200/month retainer fee for Rinke Noonan, split between county and grant funds.
- Tech/Citizen Advisory Committee: Provide meeting facilities and refreshments for designated advisory committee meetings, potentially including travel allowances and per diem for formal representatives as funds allow. Some funds may also be used to offset costs of committee representatives to attend MRB meetings as formal liaisons.
- MSU Indirect Costs: Approximately \$189,875 of this budget will need to be contracted with the Water Resources Center at MN State University, Mankato to cover 100% of staff salary and fringe plus large portions of Communications, Travel, and Printing. An 8% indirects rate will apply based on our agreement with MSU, Mankato from 2008.
- Outreach/Programming: Funds for Workshops, trainings, and conferences on grants/funding opportunities, ongoing research, program updates, annual meeting events, etc..., including items like the MRB Annual Meeting and a Sediment Management Forum and/or Minnesota River Research Forum (\$3,000 reserved for internal use, \$9,000 available as part of external grant outreach)
- Subcontracts/Contractual Services - Services as allowed in various grant and contract agreements for technical services, web site development, model evaluation, and technical planning provided by various partners.
- Reserve Funds – Balances of remaining funds that would be eligible to carry forward to the next Fiscal Year.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Rock County Local Water Management Plan Amendment**

Meeting Date: _____

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Southern Region

Contact: Jeff Nielsen, Regional Supervisor

Prepared by: Mark Hiles, Board Conservationist

Reviewed by: Southern Water Planning Committee(s)

Presented by: Paul Langseth

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☐ Resolution ☒ Order ☐ Map ☒ Other Supporting Information

Fiscal/Policy Impact

☒ None

☐ Amended Policy Requested

☐ New Policy Requested

☐ General Fund Budget

☐ Capital Budget

☐ Outdoor Heritage Fund Budget

☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Decision

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

By Board Order, the Board of Water and Soil Resources (Board) approved the Rock County 2006 - 2017 Comprehensive Local Water Management Plan (Plan) on December 20, 2006. This Plan contains an implementation section with goals, objectives and actions to address the County's priority concerns. The Board Order required Rock County to update the Plan's implementation section by January 1, 2012. Rock County followed the amendment process guidelines established by the Board and submitted their 2011 - 2017 Local Water Management Plan Addendum on September 22, 2011.



DATE: September 27, 2011

TO: Jeff Nielsen, BWSR Southern Regional Supervisor

FROM: Mark L. Hiles, BWSR Board Conservationist

SUBJECT: Rock County Local Water Management Plan Amendment – Final Review

On December 20, 2006, the Board of Water and Soil Resources (BWSR), by board order, approved the Rock County December 20, 2006 – January 1, 2017 ten-year Comprehensive Local Water Plan Update. The Plan contained an implementation section with goals, objectives, and action steps covering a five-year period of 2007 - 2011. The Board Order stipulated that Rock County was required to revise / update this implementation section by January 1, 2012.

On February 8, 2011, the Rock County Board of Commissioners resolved to amend its five-year implementation section as directed by BWSR. The County followed the process for amending as described within the Comprehensive Local Water Management guidance document developed by BWSR.

On September 22, 2011, the BWSR regional staff received the required documentation and 2011 Amendment to the Rock County Comprehensive Local Water Plan. The 2011 Amendment contains an Executive Summary and the new October 2011- January 2017 implementation section. The implementation section addresses the following priority concerns:

- Protect groundwater quality and supply
- Feedlot program management
- Non-conforming individual septic treatment systems
- Protect surface water quality

I have actively participated with and provided guidance and recommendations to Rock County and the task force throughout this amendment process. I believe the new five-year implementation section is in conformance with the requirements of Minnesota Statute 103B and guidance developed by BWSR. I recommend approval of the Rock County October 2011 - January 2017 Implementation Program Amendment. Finally - I look forward to assisting Rock County in the implementation of this revision of their Local Water Management Plan. Water Plan Coordinator Doug Bos should be commended for his leadership throughout the plan amendment process.

<i>Bemidji</i> 3217 Bemidji Avenue N. Bemidji, MN 56601 phone (218) 755-4235 fax (218) 755-4201	<i>Brainerd</i> 217 S. 7th Street Suite 202 Brainerd, MN 56401 phone (218) 828-2383 fax (218) 828-6036	<i>Duluth</i> 394 S. Lake Avenue Room 403 Duluth, MN 55802 phone (218) 723-4752 fax (218) 723-4794	<i>Fergus Falls</i> 1004 Frontier Drive Fergus Falls, MN 56537 phone (218) 736-5445 fax (218) 736-7215	<i>Marshall</i> 1400 E. Lyon Street Box 267 Marshall, MN 56258 phone (507) 537-6060 fax (507) 537-6368	<i>New Ulm</i> 261 Highway 15 S. New Ulm, MN 56073 phone (507) 359-6074 fax (507) 359-6018	<i>Rochester</i> 2300 Silver Creek Road N.E. Rochester, MN 55906 phone (507) 280-2874 fax (507) 285-7144	<i>Saint Paul</i> 520 Lafayette Road N. Saint Paul, MN 55155 phone (651) 296-3767 fax (651) 297-5615
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Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of Reviewing the Local Water Management Plan Amendment
for **Rock County** (Minnesota Statutes, Section 103B.314,
Subdivision 6)

ORDER
APPROVING
LOCAL WATER
MANAGEMENT PLAN
AMENDMENT

Whereas, on December 20, 2006, the Minnesota Board of Water and Soil Resources (Board), by Board Order, approved the Rock County 2006 – 2017 Comprehensive Local Water Plan Update (Plan), which contained a 2006 – 2011 five-year Implementation section; and

Whereas, this Board Order stipulated that Rock County was required to update the implementation section by January 1, 2012; and

Whereas, the Rock County Board of Commissioners submitted the Rock County Plan 2011 Amendment to the Board on September 22, 2011; and

Whereas, this 2011 Amendment contains the updated five-year implementation section as ordered by the Board; and

Whereas, the Board has completed its review of the 2011 Amendment.

Now Therefore, the Board hereby makes the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

1. On February 14, 2011, the Board received a resolution from Rock County stating its intent to amend its current Plan by providing for the required update of the five-year implementation section, pursuant to M.S. Section 103B.314, Subd. 6.
2. On February 15, 2011 and April 28, 2011, Board staff provided information on the amendment process to Rock County.
3. On March 7, 2011, Rock County provided proper notice to local units of government and state agencies of the County's intent to amend its five-year implementation section and invited all recipients to participate in the amendment process.
4. On April 7, 2011, Rock County convened its water plan task force to initiate the five-year implementation section update.
5. Rock County received written comments from the Minnesota Pollution Control Agency and the Minnesota Board of Water and Soil Resources. The Minnesota Board of Water and Soil Resources, Minnesota Department of Natural Resources, and Minnesota Department of Health attended the water plan task force meeting on April 7, 2011 and provided comments.
6. No other state agency or local government unit provided written comments to Rock County.

7. The final document developed by Rock County, which includes the revised five-year implementation section October 2011 – January 2017 is entitled the Rock County Water Plan updated 2011.
8. On August 2, 2011, after providing for proper public notice, Rock County conducted a public hearing on the proposed 2011 Amendment. No additional comments were submitted at the hearing.
9. On September 22, 2011, the BWSR received the Rock County 2011 Amendment, a record of the public hearing, and copies of all written comments pertaining to the 2011 Amendment, pursuant to M.S. Section 103B.314, Subd. 6.
10. On October 13, 2011, the Board's Southern Water Planning Committee (Committee) reviewed the Rock County 2011 Amendment, pursuant to 103B.301 and guidelines established by the Board.
11. Board regional staff provided its recommendation of approval to the Committee.
12. The Committee voted to recommend approval to the full Board at its next scheduled meeting.
13. This 2011 Amendment will be in effect until **January 1, 2017**.

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Amendment of Rock County pursuant to Minnesota Statutes, 103B.314, Subd. 6.
2. The Rock County 2011 Amendment attached to this Order states goals, objectives, and actions the County will address in the five-year implementation section October 2011 – January 2017. The 2011 Amendment, as well as the previously approved Rock County December 2006 – January 2017 Comprehensive Local Water Plan Update, is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached 2011 Amendment of the Rock County Water Management Plan for October 2011 – January 2017. Rock County will be required to provide for a complete update of its Water Management Plan prior to January 1, 2017.

Dated at St. Paul, Minnesota, this **26th day of October 2011**.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

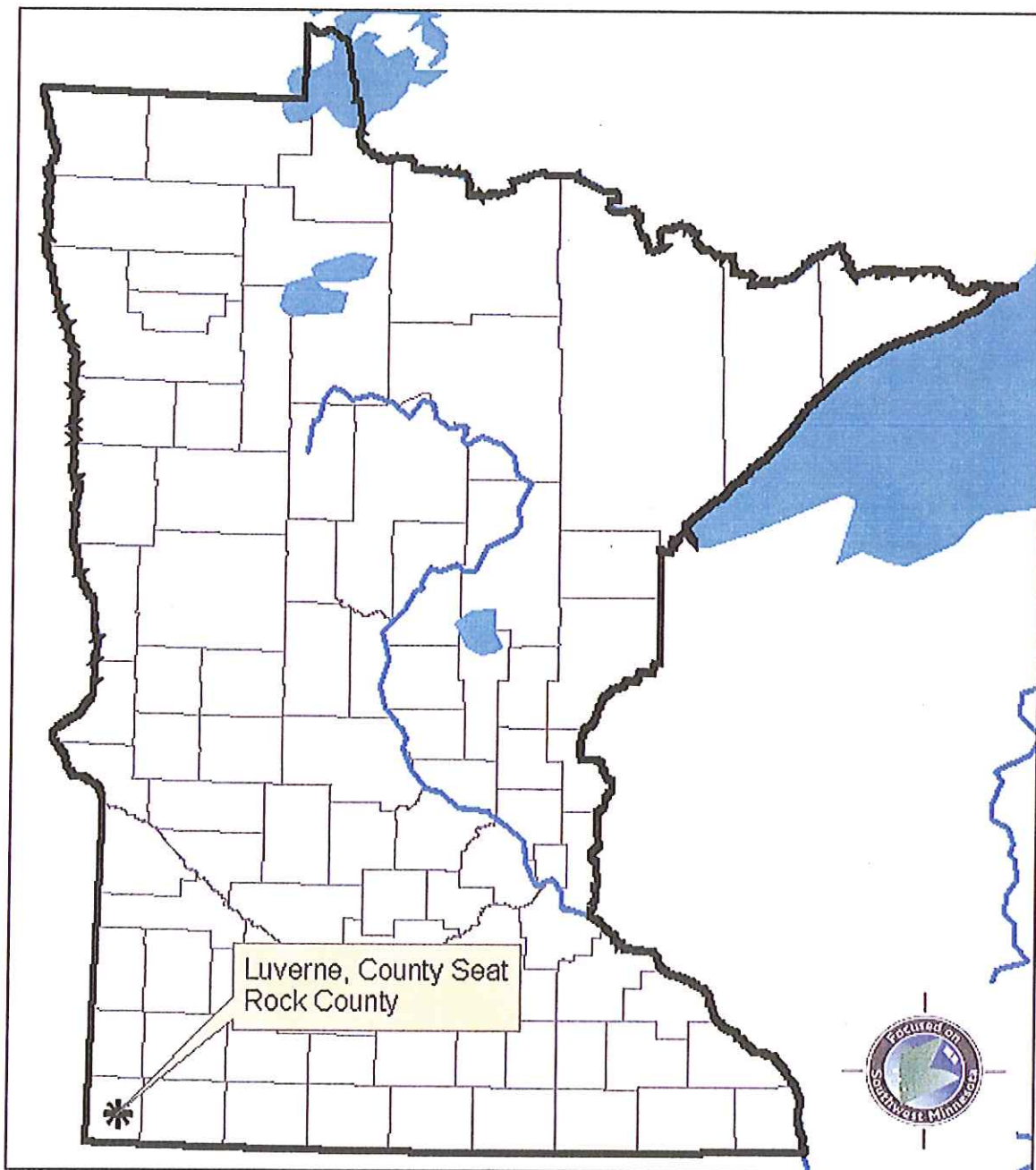
BY: Brian Napstad, Chair

ROCK COUNTY WATER PLAN

A 10-year plan with a 5-year implementation schedule.

September 2006 Updated October 2011

Prepared for the Rock County Water Plan Task Force
By Rock County Land Management Office and
Southwest Regional Development Commission



ROCK COUNTY WATER PLAN

A 10-year water management plan with a 5-year implementation schedule.
September 2006 Updated September 2011

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For additional information on water management in Rock County, Minnesota, contact:
Rock County Land Management Office, 311 West Gabrielson Road, Ste 5
Luverne, MN 56156 507-293-8862 ext 3.

A. Executive Summary

Rock County, population 9,721, is located in the southwestern corner of Minnesota, adjacent to Pipestone, Murray, and Nobles counties, and the states of Iowa and South Dakota. The City of Luverne (pop 4,617) is the county seat. Rock County is a typical prairie environment, and unique to Minnesota in that it lies completely within the Missouri River basin. As part of the Big Sioux River Basin, the county is divided into two major watershed units (**see attached map**). The Big Sioux watershed consists of approximately 130,800 acres, including the Split Rock Creek and Beaver Creek minor watershed. The Rock River watershed consists of about 175,800 acres, including the Kanaranzi-Little Rock minor watershed. The two major watersheds are similar geologically, with the same soil types, slopes and erosion areas.

A.1 Purpose & Introduction

The Rock County Water Plan is intended to identify existing and potential water issues in the context of watershed units and groundwater systems, informing specific implementation actions to achieve goals for sound hydrological management of water and related resources.

Requirements of a local water plan are set forth in current state statute (M.S. 103B.311, Subd. 4.). The plan must address management of water, effective environmental protection, and efficient resource management, and must be consistent with local water management plans prepared by counties and watershed management organizations wholly or partially within a single watershed unit or ground water systems. This Water Plan is a ten-year management plan with a five-year implementation schedule.

This is the third edition of a local water management plan for Rock County. The Rock County Board of Commissioners appointed a Water Planning Advisory Committee, which first met on 12 January 1989. The original Rock County Comprehensive Local Water Plan was prepared by Don Briggs and Kris Rodman in April 1991. In December 1994, the Rock County Board of Commissioners adopted a resolution to update and revise the water plan. In December 1995 and August 1996, the Board of Water and Soil Resources granted Rock County one-year extensions for revisions to the local water plan, due to staff changes. The plan update was completed by Douglas Bos of the Land Management Office, with assistance from the Rock County Water Planning Advisory Committee, in December 1997. That plan was written to cover water management through December 2006.

Major accomplishments under Rock County's previous water management plans included:

- Completed a Level III Feedlot Inventory on all Rock County Feedlots.
- Provided technical assistance, cost share dollars and low interest money to correct water quality concerns for 100-plus feedlots.
- Provided technical assistance and guidance in developing Well Head Protection Plans for Rock County Rural Water and the City of Luverne.

- Sponsored 14 years of the Southwest MASWCDE Environmental Fair for 6th grade classes in the County.
- Promoted and provided technical assistance to install thousands of feet of terraces, hundreds of waterways, and numerous sediment basins.
- Provided cost share and technical assistance to plant hundreds of thousands of trees in shelter belts and wildlife plantings.
- Provided cost share to seal 71 wells since 2001 and numerous wells prior to 2001.
- Promoted and provided cost share and low interest dollars to replace 146 failing individual septic systems since 1999 and many systems prior to 1999.
- Annually sampled and tested 13 surface water sites, 3 field tile outlets and 15 well water sites for water quality for 14 years.
- Developed a program to collect household hazardous waste, waste pesticide, and empty pesticide containers.

Major accomplishments since the development of the 2006 Water Plan

- Addressed runoff issues on 125 feedlots utilizing \$498,675.00 of State Cost Share and \$678,537.00 of USDA's Environmental Quality Incentive Program.
- Obtained funding to house an Engineer to assist in feedlot corrections, stream bank stabilization, rain gardens and other Best Management Practices.
- Facilitated a TMDL Assessment on the Rock River water quality impairments.
- Established a citizen Advisory Group and Technical Assistance group and developed a TMDL implementation plan addressing the impairments of the Rock River.
- Established a website to promote and educate landowners on the Rock River Watershed TMDL process and implementation efforts.
- Partnered with the City of Luverne to design and install 3 rain gardens.
- Obtained a Clean Water Legacy grant to assist six low income households with replacement of their failing septic systems.
- Applied for and received low interest funding from the Clean Water Partnership for replacing failing septic systems in the Rock River Watershed.
- Inspected and permitted installation of 129 septic systems to replace failing septic systems.
- Provided cost share for sealing 78 abandoned wells.
- Designed and installed 11 major stream bank stabilization projects with USFWS and Clean Water Legacy funding.
- Obtained a EPA 319 Grant from MPCA - \$150,000 in funding for a Rock River Manure Management Grant.
 - \$50,000 Incentives for utilizing liquid manure application meters
 - \$27,500 Incentives for manure management planning
 - \$5,000 Incentives for calibration of solid manure spreaders
- Received three Surface Water Assessment grants to sample various points on major streams in the county.
- Secured funding and facilitated removal of low head dam in City of Luverne.
- Applied for and received Clean Water Legacy dollars to partner with the City of Luverne in stabilizing stream banks adjacent to and also leveling and capping of

an old landfill site along the Rock River that contained high levels of heavy metals and other pollutants.

- Designed and established 3 Native Buffer Projects – removal of invasive species and seeded to native prairie plantings
- 2 RIM Easement projects were enhanced with biodiversity inclusion.
- 20 acres of Pheasant Habitat Improvement were established through MnDNR program on private lands.

Rock County Water Plan						
Ag BMP Loans						
	Feedlots	Dollars	Septics	Dollars	Conservation	Dollars
2000	14	\$236,700	21	\$70,700	8	\$77,325
2001	18	\$306,125	8	\$30,700	7	\$149,350
2002	17	\$227,350	9	\$29,217	3	\$58,250
2003	8	\$119,779	2	\$9,500	1	\$24,950
2004	15	\$280,872	6	\$22,453	1	\$12,105
2005	21	\$542,750	5	\$22,900	4	\$91,250

Source: Rock County Land Management Office

The Rock County Land Management Office is responsible for local water management in Rock County, including facilitation of public input and convening the Rock County Water Plan Task Force. On 16 August 2005, the Rock County Board of Commissioners passed a Resolution of Intent to update the Comprehensive Water Management Plan. In October 2005, Rock County retained the Southwest Regional Development Commission for assistance to write the update. A public meeting on priority concerns was held at Luverne on 13 December 2005. After Task Force consideration, the Rock County Board of Commissioners scheduled a Public Hearing on this Water Plan for 19 September 2006.

Task Force membership at the time of Plan development has included:

Peter Bakken	Township Supervisor	Kurt Elbers	Rock County Cattleman's Assn.
Richard Bakken	County Commissioner	Eric Hartman	Director, Rock County Land
Al Blank	Beaver Creek City Mayor		Management Office
Doug Bos	Water Plan Coordinator	Al Lais	City of Luverne Public Works
Ava Christians	Dairy Producer, Citizen	Don Reker	SWCD Supervisor
Dan Cook	Rock County Rural Water	Andy Steensma	Luverne City Mayor
		Leroy VanWyhe	Beaver Creek Sportsman's Club
Randy Creeger	Friends of the Park, representing Blue Mound State Park & Touch the Sky Prairie		

Input to the Rock County Water Plan Update process was provided by the Rock TMDL Advisory and Technical Committee Members along with the Rock SWCD Board.

Members of the TMDL Technical Committee are:

Doug Bos	Rock County SWCD/Land Mgt	Brent Hoffmann	Rock County Rural Water
Eric Hartman	Rock County SWCD/Land Mgt	Tom Kresko	DNR Hydrologist
Arlyn Gehrke	Rock County SWCD/Land Mgt	Kurt Halfmann	NRCS
Justin Decker	Rock County SWCD/Land Mgt	Matt Drewitz	BWSR
Kelli Daberkow	MPCA Hydrologist	Ed Lens	Nobles SWCD
Chris Hansen	Murray Co Planning & Zoning	Al Lais	City of Luverne
Kyle Krier	Pipestone Cty Cons. & Zoning	Scott Ralston	US Fish & Wildlife
Angie Raatz	Pipestone Cty Cons. & Zoning	Wayne Smith	Nobles Co Env. Office

Members of the TMDL Advisory Task Force are:

Grant Binford, farmer & Cattleman's Assn	George Shurr, resident & geology professor
Harold VerSteg, farmer & Corn/Soy Growers Assn	Kraig Rust, farmer & Township Association
Larry Bosch, farmer	Don Reker farmer & Rock SWCD Board
Mary Tilstra, resident & Master Gardner's Assn	Kevin Barnhart, resident & Pork Producers Assn
Bryce Stoltenberg resident	Andy Nesseth, ag consultant
Roger Talsma, farmer	Harlan Solma, resident & agronomist
Bill & Merri Post, farmer & Dairy Producers Assn.	Stan Williamson, farmer & County Commissioner

A.1.a Public Input Requests and Informational Meetings

8/16/05	County Board Mtg on Resolution to update plan- 8 att.
8/25/05	Sent requests of Local Units of Government, Agencies and Organizations requesting input of priority concerns.
8/25/05	E-mailed requests for input on priority concerns from State Agencies.
9/05	Article for the Rock County Ag News Cir. 900
9/14/05	Sent letters requesting input on priority concerns from State Agencies.
9/15/05	Notice of Decision to Revise and Update Water Plan – Rock County Star Herald cir. 3,000
9/29/05	Article for the Star Herald, on Water planning process. Cir. 3,000
10/05	Article in the Rock County Ag News requesting input on the water plan process. Cir 900
12/05	Article in the Rock County Ag News noticing Priority Concerns meeting and providing information on the Water planning process.Cir 900
12/6/05	Rock County Annual Township Meeting - 35 Twsp Officers
12/13/05	Task Force and Public Meeting on Priority Concerns - 16 att.
12/19/05	Rock SWCD Board Mtg- 10 att.
1/11/06	Task Force Meeting on Priority Concerns – 14 att.
2/22/06	Submitted Priority Concerns Scoping Document to State Agencies.
9/8/06	Task Force Meeting to review draft plan, Goals and Objectives, Implementation plan.
9/19/06	Public Hearing / Rock County Commissioners meeting on Draft Water Plan.

A.1.b Plan Adoption and Amendment

Upon approval of this plan by the Minnesota Board of Water and Soil Resources (BWSR), Rock County has up to 120 days to pass an Adoption and Implementation Resolution. After final adoption, the plan may be amended in a similar process, by petitioning the BWSR Board, scheduling a public hearing, and sending notice to the required parties.

A.2. Plan Update Process

On February 8th, 2011The Rock County Board of Commissioners passed resolution number 04-11 to update the Rock County Water Plan. At the same time input was requested from State and local stakeholders including township and city officials, landowners, MN Department of Natural Resources, MN Department of Health, MN Department of Agriculture, and the MN Board of Water and Soil Resources.

On April 7th, 2011 a public input meeting was held in conjunction with the Rock River TMDL Advisory and Technical Committee meeting. The same group of State and local stakeholders were also noticed.

On August 2, 2011 a draft plan update was posted for review and a public meeting held to review a draft update of the Rock County Water Plan.

A.3 Description of Priority Concerns

The Priority Concerns listed below were selected by the Water Plan Task Force members by consensus, after carefully reviewing submitted concerns and comments.

Priority Concern 1. Protect ground water quality and supply.

Rock County's shallow aquifers demand vigilance in protecting groundwater quality and supply. Particular concerns include well head protection, abandoned wells, and future water supply.

Priority Concern 2. Feedlot Program management

Nutrient management plans are an important tool in preventing water quality issues. As well, controlling feedlot runoff can prevent problems before they happen.

Priority Concern 3. Non-conforming Individual Septic Treatment Systems

Rock County has many dispersed farm and non-farm residences in un-sewered areas. While the County has helped many property owners replace their older individual septic treatment systems, there is a great need and demand to continue upgrading systems.

Priority Concern 4. Protect surface water quality.

Soil erosion is a continual challenge for an agricultural community. TMDL standards, and Wetlands and Endangered Species, are newer regulatory challenges that none the less demand current action.

A.4 Summary of Goals, Actions, and Projected Costs

Goals and Actions were selected to reflect address priority concerns, with a focus on principles of sound hydrological management.

Priority Concern 1. Protect ground water quality and supply.

Goals include protecting public water supplies and underground aquifers from contamination, and to ensure adequate water supplies for future growth and development.

Implementation actions include providing technical assistance for Well Head Protection, using CREP technician and other avenues to educate the public and raise awareness of issues, reviewing ordinances for effectiveness, developing a list of abandoned wells, cost-share sealing 100 wells, and working with water suppliers on long-term goals.

UPDATES to implementation actions would include utilizing Best Management Practices such as basil stalk testing, infrared photography, variable rate nitrogen application and the use of nitrogen inhibitors as well as newer management tools as they become available.

Projected costs would include \$25,000 annually for the CREP technician, one-time costs of \$9,500 for public education, \$500 for advertising, \$500-\$1,000 per well sealed, as well as annual in-kind services.

Priority Concern 2. Feedlot Program management

Goals include ensuring all feedlots meet standards for nutrient management plans and other state statutory requirements.

Implementation actions include verifying nutrient management plans, providing information on plan development, and providing assistance in correcting problems.

Updates to implementation activities would include improved oversight and education of Commercial Animal Waste Technicians

Projected costs would include \$5,000-\$100,000 per feedlot for technical and engineering assistance and cost-share for corrections, as well as annual in-kind services.

Priority Concern 3. Non-conforming Individual Septic Treatment Systems

Goals include bringing non-conforming ISTS systems into compliance.

Implementation actions include developing an ordinance to require upgrades at property transfer, developing an ISTS inventory in DWSMA and shoreland areas, and providing financial assistance to encourage replacement of systems..

Projected costs would include \$7,000-\$10,000 per septic replaced, \$23,000 to develop an ISTS inventory, as well as annual in-kind services.

UPDATES would be cost increases for septic replacements. Systems installation costs have increased to \$7,000 to \$12,000 per septic replaced.

Priority Concern 4. Protect surface water quality.

Goals include preventing future contamination of surface waters, developing a plan to address TMDL limits, and addressing needs for wildlife habitat.

Updates to goals would include coordination and facilitation with the Rock River TMDL Implementation Plan developed with the input of an Advisory and Technical committee. The Rock River TMDL Assessment and Implementation Plan can be accessed at www.rockriverwatershed.org. Additional updates would include coordination and facilitation with MPCA's development of TMDL assessments and implementation plans for other impaired streams in the county and also addressing areas within the county with high erosion and sedimentation problems (see attached maps O and P). Implementation actions include providing technical assistance and using CREP technician to facilitate conservation participation and education, reviewing storm water permits and ordinances, providing public education and outreach, participating in TMDL planning, continuing yearly water samples, and coordinating wetland determinations

UPDATES to implementation actions would include promotion and funding of the implementation actions chosen in the Rock River TMDL Implementation Plan; grass buffers along all perennial and intermittent streams, stream bank stabilization projects, rain gardens, pasture management systems, mitigation systems to reverse the effects of tiling and ditching, submitting water sample results to the MPCA and other Best Management Practices to protect surface water quality.

Projected costs would include \$30,000 annually for the CREP technician, as well as annual in-kind services.

A.5 Consistency with Local, State and Regional Plans

Rock County Land Management Office administers Rock County's land use and zoning plans and ordinances. This helps to maintain consistency between this plan and those documents. No other plans were received for review.

A.6 Summary of Recommended Amendments to Other Plans and Official Controls

No specific amendments are recommended at this time. It would be recommended to incorporate data from this plan into other local plans and controls when they are updated.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

Winona County Comprehensive Water Management Plan Update

Meeting Date: October 26, 2011

Agenda Category: ☒ Committee Recommendation ☐ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Southern Region

Contact: Jeff Nielsen

Prepared by: David Peterson

Reviewed by: Southern Water Planning Committee(s)

Presented by: Paul Langseth

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☐ Resolution ☒ Order ☐ Map ☒ Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|---|
| <input checked="" type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Clean Water Fund Budget |

ACTION REQUESTED

Decision

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)
Winona County submitted their Local Water Management Plan Update, a record of the public hearing, and copies of all written comments pertaining to the Update to the Board for final State review June 9, 2011. On October 13, 2011 the Board's Southern Water Planning Committee (Committee) reviewed the recommendation of the state review agencies regarding final approval of the Winona County Local Water Management Plan Update. The Committee recommends approval. The Findings of Fact, Conclusions and Order are drafted for the full Board to review and take action on.



DATE: August 2, 2011

TO: Jeff Nielsen, BWSR Southern Regional Supervisor

FROM: David Peterson, BWSR Board Conservationist

SUBJECT: Winona County Local Water Management Plan– Final Review

The Board of Water and Soil Resources (BWSR) Southern Water Planning Committee (Committee) met with representatives of Winona County on December 16, 2009, to discuss state agencies review comments, the contents of their Priority Concerns Scoping Document (PCSD) and recommendations for the content of the final Local Water Management Plan (Plan). In a letter to Winona County dated January 27, 2010, the BWSR communicated the State's official comments; the priority concerns to be addressed in the final Plan were deemed to be appropriate and no changes to the PCSD was recommended or required.

Winona County submitted the final draft Plan to the BWSR on March 18, 2010 as required for final review by state agencies.

I have completed my final review of the Winona County Plan and find that it does meet the requirements of Minnesota Statute 103B.314. The Plan:

- focuses on the priority concerns identified in the PCSD;
- assesses the priority concerns and sets forth appropriate goals and objectives;
- provides an implementation program with measurable actions, timeline and budget; and
- includes all required sections.

State agency comments were received from the Minnesota Department of Agriculture, Minnesota Department of Health, Department of Natural Resources, and Minnesota Pollution Control Agency (MPCA). These state agencies recommend that BWSR approve the entire Plan as submitted. MPCA did submit some additional comments relating to impaired waters for the County to consider.

Lew Overhaug, county planning staff working on the plan has been excellent to work with and will be completing the final draft plan and supporting documents to be available for the Southern Water Planning Committee meeting in October.

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Minnesota Board of Water and Soil Resources
520 Lafayette Road North
St. Paul, Minnesota 55155

In the Matter of Reviewing the Local Water Management Plan Update
for Winona County (Minnesota Statutes , Section 103B.311,
Subdivision 4 and Section 103B.315, Subdivision 5.)

ORDER
APPROVING
LOCAL
WATER MANAGEMENT
PLAN UPDATE

Whereas, the Winona County Board of Commissioners submitted a Local Water Management Plan Update (Plan Update) to the Board on June 9, 2011 pursuant to M.S. Section 103B.315, Subd. 5, and

Whereas, the Board has completed its review of the Plan Update;

Now Therefore, the Board hereby makes the following Findings of Fact, Conclusions, and Order:

FINDINGS OF FACT

- 1) On January 22, 2010, the Board of Water and Soil Resources received a Priority Concerns Scoping Document from Winona County, pursuant to M.S. Section 103B.312.
- 2) On March 24, 2010 the Board of Water and Soil Resources approved official comments on the Winona County Priority Concerns Scoping Document, which were mailed to the county on March 24, 2010.
- 3) The priority concerns the local water management plan addresses include:
 - A) Water Quality
 - B) Soil Erosion, Sediment Control and Stormwater Management
 - C) Nutrient, Manure and Human Waste Management
 - D) Watershed Management Approach
- 4) On December 15, 2010, the Board of Water and Soil Resources approved an extension of the deadline for revision of the Winona County Comprehensive Water Plan 2002-2010 to December 31, 2012 due to staff changes and County staff involvement in the revision of the County Zoning Ordinance.
- 5) On June 9, 2011 the BWSR received the Winona County Plan Update, a record of the public hearing, and copies of all written comments pertaining to the plan update to the Board for final State review pursuant to M.S. Section 103B.315, Subd. 5.
- 6) On October 13, 2011 the Southern Region Water Planning Committee of the board reviewed the recommendation of the state review agencies regarding final approval of the Winona County Plan Update. Recommendations of the state review agencies were:

- A) Minnesota Department of Agriculture did not participate in the PCSD process, but provided extensive comments regarding the final plan draft and. MDA made no recommendation on approval of the plan. The comments were received after the comment period deadline. Winona County responded by email to the comments with thanks and indicated the County would consider the MDA comments as they worked on water plan actions related to the MDA comments.
- B) Minnesota Department of Health recommends approval.
- C) Minnesota Department of Natural Resources recommends approval.
- D) Minnesota Pollution Control Agency recommends approval.
- E) Minnesota Environmental Quality Board provided no comments.
- F) Minnesota Board of Water and Soil Resources regional staff recommends approval.
- G) Board Water Plan Review Committee Meeting recommends approval.

7) This update will be in effect until December 31, 2015.

CONCLUSIONS

1. All relevant requirements of law have been fulfilled. The Board has proper jurisdiction in the matter of approving a Comprehensive Water Plan Update of Winona County pursuant to Minnesota Statutes, 103B.315, Subd. 5.
2. The Winona County Plan Update attached to this Order states water and water-related problems within the county; possible solutions; general goals, objectives, and actions of the county; and an implementation program. The attached Plan Update is in conformance with the requirements of M.S. Section 103B.301.

ORDER

The Board hereby approves the attached update of the Winona County Local Water Management Plan 2011-2015.

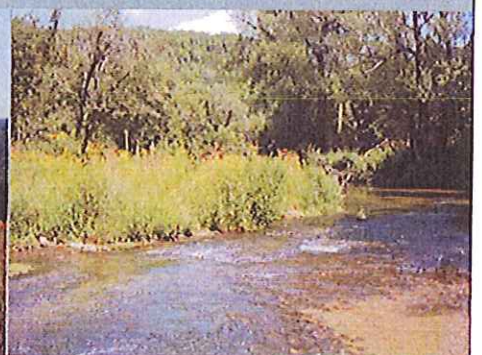
Dated at St Paul, Minnesota, this October 26, 2011.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

BY: Brian Napstad, Chair



Comprehensive Local Water Management Plan 2011 - 2015



W i n o n a C o u n t y

Winona County Planning Department
www.co.winona.mn.us
177 Main Street
Winona, MN 55987
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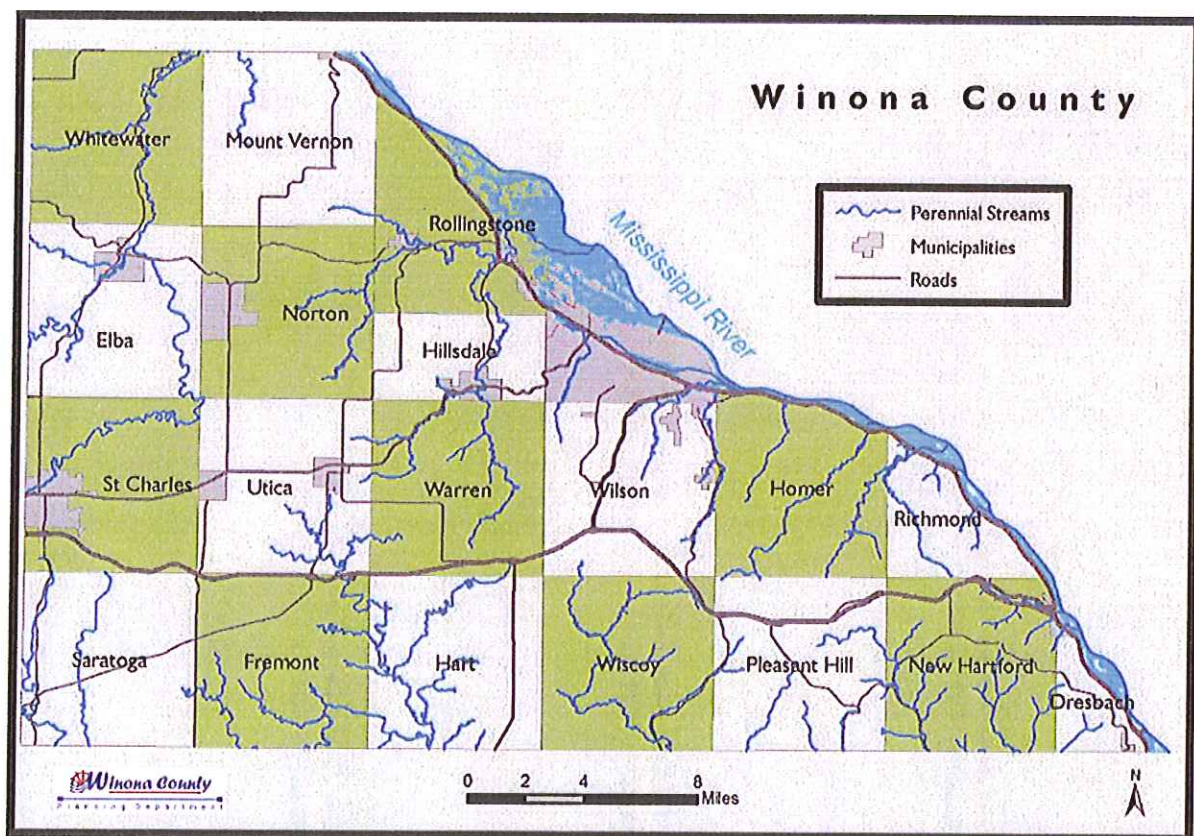
A.Executive Summary

I. Profile

Winona County is located in the Driftless Area of Southeast Minnesota. The Mississippi River borders Winona County along to the north and east, with Houston and Fillmore counties to the south, Olmsted and Wabasha counties to the west, and Wabasha to the north. The total land area of Winona County is approximately 642 square miles. There are thirteen cities and nineteen townships. The City of Winona is the county seat.

Winona County is located in a transitional area at the edge of the eastern hardwood forest and the prairies of the great plains to the west. Forested bluffs rise 600 ft. above the Mississippi River and its tributaries to relatively flat narrow ridges. The dominant land use in the county is cultivated land (43.7%) followed by deciduous forest (36.0%) and grasslands (13.6% including hay and pasture). Cultivated lands are located throughout the county but are the principal land use in the southwest and west central parts of the county. The forested lands tend to be located on steep slopes and bluffs. Forested lands are also a major cover type on public lands. The most notable public land is the Whitewater Wildlife Management Area that comprises almost 21,000 acres, most of which is located in Winona County.

Streams throughout the County arise in large part from coldwater springs and seeps. Minnesota DNR has designated 44 stream reaches as trout streams. The largest river in Winona County is the White-water River. The only inland lakes in Winona County are found within Winona and Goodview and were originally backwater wetlands of the Mississippi River or quarries. Well water is used by Winona County residents for everything from domestic to commercial, industrial, and agricultural uses. The water supply is drawn from bedrock aquifers.



2. Purpose of the Local Water Management Plan

The intent of this Water Management Plan is to establish goals and a related set of objectives and actions for the period from 2011 through 2015 to protect, enhance, and manage water resources within Winona County in cooperation with local, regional and state partners. The focus of the plan is a set of four priority concerns as outlined in the Priority Concerns Scoping Document.

Winona County received State of Minnesota formal comments relating to the priority concerns and the development process via a March 24, 2009 letter from the Chair of Minnesota Board of Water and Soil Resources. The letter indicated the priority concerns contained in Winona County's Water Management Plan appropriate and recommended no changes to the priority concerns.

The first water plan was approved by Minnesota Board of Soil and Water Resources (BWSR) on March 28th, 1990. The 2nd plan was approved by the BWSR on October 22, 2003. The existing Winona County Comprehensive Local Water Plan is effective until December 31, 2012 or until this plan is adopted.

The responsibility of administering the water plan is assigned to the Water Plan Coordinator located in the Planning Department. Guidance and review for implementing and updating the plan is provided by the Winona County Water Management Committee. The Winona County Water Management Committee is comprised of representatives from various County departments, a County Commissioner, the District Manager of the Winona County Soil and Water Conservation District, a member of the Stockton-Rollingstone-Minnesota City Watershed District, program coordinator of the Whitewater River Watershed Project, representatives of other state local and federal government and interested citizens.

3. Priority Concerns

1. Water Quality

The water quality concern involves protecting groundwater; addressing Clean Water Act impairments and protecting surface waters; and effectively managing those land areas at the water/land interface such as riparian lands, floodplains, and sensitive groundwater recharge areas in karst settings.

Objectives

- * Assess the condition of groundwater and the interconnection of land use and associated pollution risks.
- * Assist public water suppliers (PWS) in developing Wellhead Protection Plans and/or managing their 200-foot inner wellhead management zone.
- * Assist private well users in protecting and/or improving their drinking water supplies.
- * Provide educational opportunities to the public and schools on drinking water issues, land use planning, groundwater quality, and the significance of karst geology.
- * Reduce fecal coliform impairments by further implementation of TMDL activities.
- * The development of turbidity TMDL(s) for streams in the Garvin Brook, Whitewater River, and Root River Watersheds.
- * The development of aquatic life assessments for all trout streams in the Buffalo-Whitewater and Root River Watersheds incorporating biological monitoring and biological criteria.
- * Increase compliance with 50-foot buffer Shoreland Ordinance requirement in agricultural areas along protected waters.
- * Promote buffers around sinkholes.

Cost: \$101,204

2. Soil Erosion, Sediment Control and Stormwater Management

This concern addresses steep topography and extreme soil erosion potentials. Control of erosion and sediment is a concern on agricultural lands and for residential and urban development. Effective stormwater management includes water retention and infiltration that reduces soil erosion, improves hydrologic processes and reduces flooding.

Objectives

- * Promote programs that encourage soil conservation.
- * Install grass waterways and grade stabilization structures.
- * Promote and Protect forest resources.
- * Promote grass-based agriculture.
- * All municipal areas meet the principles of the EPA Phase II Stormwater Requirements.

Cost: \$204,000

3. Nutrient, Manure, and Human Waste Management

The concern with nutrient, manure, and human waste management is that wastes generated from feedlots and from septic systems are assumed to contribute to the Clean Water Act recreational impairments as measured by excess levels of fecal coliform in several County streams. Wastes from feedlots and septic systems as well as from commercial fertilizers can contribute to the high nitrate concentrations found in some wells and streams in the county.

Objectives

- * Correct open lot runoff from noncompliant feedlots.
- * Increase the usage of manure management plans among livestock producers.
- * Promote pasture management throughout the County.
- * Address Imminent Threats to Public Health from septic systems.
- * Update septic system database and GIS to show all septic systems within Winona County.
- * Initiate projects with small communities with significant wastewater needs.
- * Provide operational and maintenance information to homeowners having septic systems.
- * Provide financial assistance to individuals needing replacement systems.
- * Provide alternative disposal options for hazardous waste and pharmaceuticals.

Cost: \$374,500

4. Watershed Management Approach

The Water Management Plan has the responsibility to address the water resources across the entire Winona County. The Priority Concerns described in this Plan have various impacts on County watersheds. A watershed approach provides a context for integrating programs, and emphasizing and addressing the most significant concerns in any given watershed. For example, impacts of residential development are of greater significance in the watersheds that are in and around the City of Winona. In addition, this approach provides a context for collaboration with existing organizations including watershed organizations.

Objectives

- * Promote and utilize a watershed planning approach in dealing with nonpoint source pollution, soil erosion and hydrologic problems.
- * Educate residents and local units of government regarding watersheds and water resources.
- * Promote GIS data sharing and modeling for assessing watersheds and water resource quality.

Cost: In-Kind

4. Plan Consistency With Other Local, State, and Regional Plans

The process to update the Water Management Plan sought out and received input from a variety of local, state, and federal agencies and stakeholders. Furthermore, the Board of Water and Soil Resources reviewed the document throughout its evolution and provided comments as a means to ensure consistency with state policies.

To ensure consistency with adopted planning documents, the Plan authors reviewed the Winona County Comprehensive Land Use Plan, the Whitewater River Watershed District Plan, as well as several Water Plans of neighboring Counties. The Stockton – Rollingstone - Minnesota City Watershed Plan was composed over the same time period as this Water Management Plan.

5. Recommended amendments to other plans and official controls

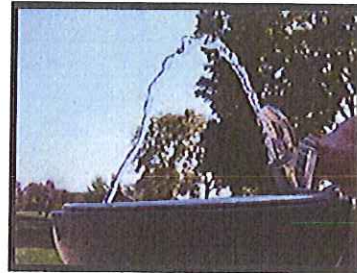
Winona County adopted its Comprehensive Land Use Plan in 2001. The Comprehensive Plan has a time horizon of ten years. At this time, the Comprehensive Plan is eligible for a review and subsequent updating.

B. Assessment of Priority Concerns

I. Water Quality

a. Groundwater Protection

All drinking water in Winona County comes from groundwater. The majority of citizens surveyed during the Water Management Plan update process considered drinking water as the top water resource issue.



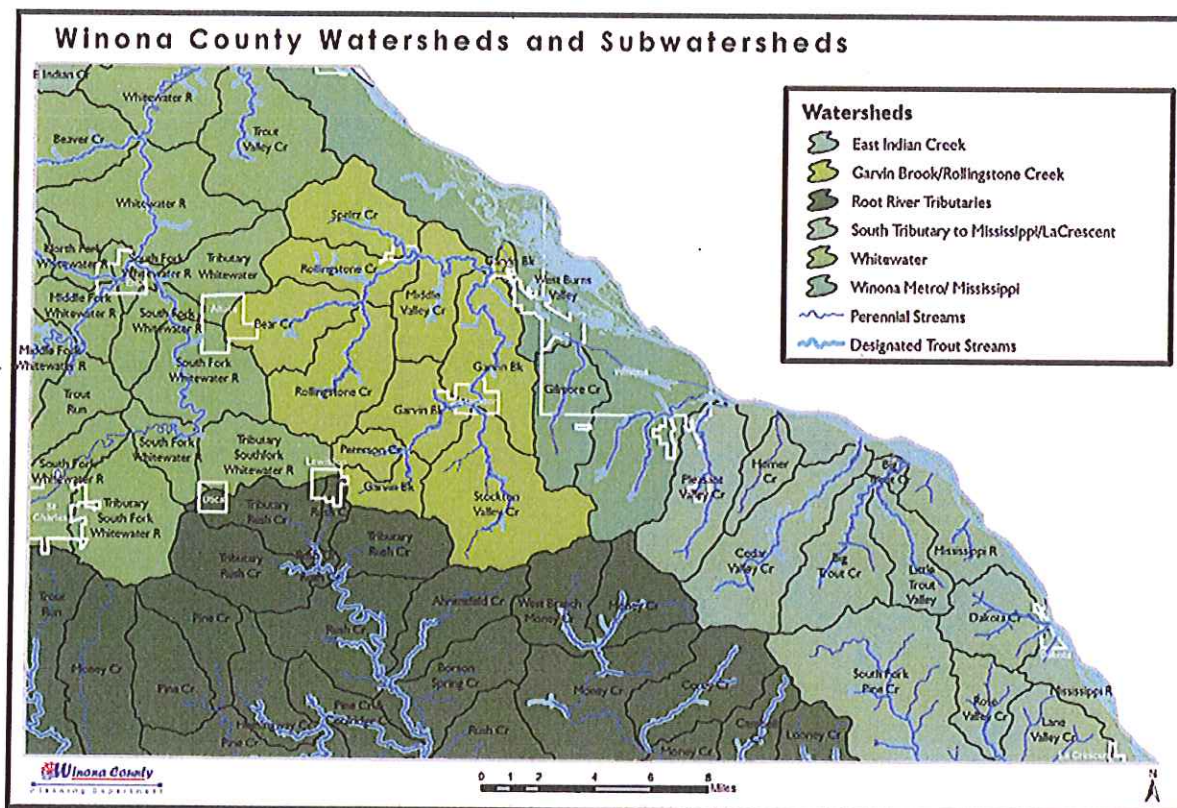
The Safe Drinking Water Act and MN Department of Health (MDH) regulate public water supplies. Community public water supplies serve at least 25 persons or 15 service connections year-round. There are 13 community water supplies in Winona County. There are also nine non-transient, non-community water supplies. These facilities are schools and businesses having their own wells. There are 78 other public water supplies considered transient non-community. These water suppliers are gas stations, campgrounds and restaurants having their own wells.

Based on Minnesota State Demographic 2008 census data estimates, and subtracting the approximate number of households served by community water systems, there are approximately 4,200 residents relying on private wells. These residents may have their own well or in some cases may be sharing a well with a neighbor(s).

The water quality of a well depends on the well's construction and the quality of the groundwater from which that well draws. The State of Minnesota established a Well Code in 1974 that assures the proper construction of new wells and borings, and the proper sealing of unused wells and borings. In Winona County, the Environmental Services Department has the authority and implements the Minnesota Well Code for private wells throughout the County.

The MDH Drinking Water Protection Program oversees the construction and regulation of the public water supplies. Wells that were constructed prior to the Well Code have more water quality problems because of the construction methods used and because they are more likely drawing from shallower aquifers that have been contaminated from pollutants from the land surface.

Report of Investigations #61 Hydrogeology of the Paleozoic Bedrock of Southeastern Minnesota (Runkel et al. 2003), describes an image of Winona County groundwater resources



Under the Clean Water Act the Minnesota Pollution Control Agency (MPCA) is responsible for assessing the quality or integrity of the States lakes, streams, and rivers. Water bodies that do not meet required standards, the MPCA places on a list. It is then required that total maximum daily load (TMDL) studies be conducted in order to determine what levels of pollutants are acceptable in order to maintain water quality for a given use which can then be used in setting pollution reduction goals.

Several surface waters have been monitored and in turn formally assessed to determine whether they support their beneficial uses which include recreation and aquatic life and in some cases drinking water. A list of all monitoring stations and their assessments is available from the MPCA Environmental Data Access tool (<http://www.pca.state.mn.us/data/edaWater/index.cfm>). The analyzed reaches and their corresponding assessments regarding whether the waterbody supports its designated uses can be found in the Appendix.

A formally assessed waterbody shown not to support one or more of its use(s) is considered impaired. The Minnesota Pollution Control Agency (MPCA) conducts these assessments every two years with the United States Environmental Protection Agency certifying the results. The 2010 impaired waters list for Winona County can be found in the Appendix. This list is often referred to as the Clean Water Act 303(d) List. It is notable that there are two reaches in the Whitewater River watershed listed on the draft 2010 Impaired Waters List. The Impairment is for drinking water due to the presence of excessive levels of nitrates.

c. Recreation Impairments and Fecal Coliform TMDL

Fecal coliform is a bacteria that can be measured in water and is indicative of the existence of pathogens. Several sampled streams in southeast Minnesota including a few found in Winona County exceed the fecal coliform standard and are listed as impaired. These watercourses consist of the North Fork Whitewater River, Middle Fork Whitewater River, South Fork Whitewater River, Garvin Brook and Stockton Valley Creek in the Garvin Brook watershed, and the lower Money Creek in the Root River watershed. The

Minnesota SWCD's Technical Assistance Joint Powers Board, and the Hiawatha Resource Conservation and Development Council. The Southeast MN Water Resources Board is a ten county joint powers board aimed at protecting water resources from a regional perspective. The Hiawatha Resource Conservation and Development Council is a USDA program that encourages local citizens to find solutions to local problems and aims to improve social, economic, and environmental conditions of rural residents. The Southeast Minnesota SWCD's Technical Assistance Joint Powers Board offers technical assistance and leadership for the evaluation, design and construction of BMP's.

5. Goals and Objectives to Address Priority Concerns

The below listed goals are long-term targets for Winona County to achieve through the water planning process and related programs. The objectives are measurable steps to get to those goals.

I. WATER QUALITY

Goal: All Winona County residents have access to safe drinking water.

Objectives

- ✓ Assess the condition of groundwater and the interconnection of land use and associated pollution risks.
- ✓ Assist public water suppliers (PWS) in developing Wellhead Protection Plans and/or managing their 200 foot inner wellhead management zone.
- ✓ Assist private well users in protecting and/or improving their drinking water supplies.
- ✓ Provide educational opportunities to the public and schools on drinking water issues, land use planning, groundwater quality, and the significance of karst geology.

Goal: Winona County surface waters support their beneficial uses for recreation, aquatic life, and as sources of drinking water - where applicable.

Objectives

- ✓ Reduce fecal coliform impairments by further implementation of TMDL activities.
- ✓ The development of turbidity TMDL(s) for streams in the Garvin Brook, Whitewater River, and Root River Watersheds.
- ✓ The promotion and support of aquatic life assessments for all trout streams in the Buffalo-Whitewater and Root River Watersheds incorporating biological monitoring and biological criteria.

Goal: Buffer all sensitive water/land interfaces.

Objectives

- ✓ Increase compliance with 50 foot buffer Shoreland Ordinance requirement in agricultural areas along protected waters.
- ✓ Promote buffers around sinkholes.

2. SOIL EROSION, SEDIMENT CONTROL AND STORMWATER MANAGEMENT

Goal: Minimize the erosion of agricultural soils.

Objective

- ✓ Promote programs that encourage soil conservation.

Goal: Eliminate gully erosion.

Objective

- ✓ Install grass waterways and grade stabilization structures. **Goal: Maintain or increase the percentage of perennial vegetation.**

Objective

- ✓ Promote and Protect forest resources.
- ✓ Promote grass based agriculture.

Goal: Reduce stormwater runoff from impervious surfaces through site design principles.

Objective

- ✓ All municipal areas meet the principles of the EPA Phase II Stormwater Requirements.

3. NUTRIENT, MANURE, AND HUMAN WASTE MANAGEMENT

Goal: Treat manure wastes or manage wastes as fertilizer and / or energy source in order to prevent the contamination of ground and surface waters.

Objectives

- ✓ Correct open lot runoff from noncompliant feedlots.
- ✓ Increase the usage of manure management plans among livestock producers.
- ✓ Promote pasture management throughout the County.

Goal: Treat human waste to prevent the contamination of ground or surface waters.

Objectives

- ✓ Address Imminent Threats to Public Health from septic systems.
- ✓ Update septic system database and GIS to show all septic systems within Winona County.
- ✓ Initiate projects with small communities with significant wastewater needs.
- ✓ Provide operational and maintenance information to homeowners having septic systems.
- ✓ Provide financial assistance to individuals needing replacement systems.
- ✓ Provide alternative disposal options for hazardous waste and pharmaceuticals.

4. WATERSHED MANAGEMENT APPROACH

Goal: Compose watershed assessments and plans for all 68 minor watersheds.

Objectives

- ✓ Promote and utilize a watershed planning approach in dealing with nonpoint source pollution, soil erosion and hydrologic problems.
- ✓ Educate residents and local units of government regarding watersheds and water resources.
- ✓ Promote GIS data sharing and modeling for assessing watersheds and water resource quality.

C. Implementation Schedule - Priority Concerns Objectives and Actions

The implementation schedule describes how the priority concerns identified in the Water Management Plan will be addressed. Included are specific actions to achieve the stated goals and objectives of the plan. The actions give direction to local agencies and conservation groups by providing details on who is responsible, what the cost will be, how long it will take, and what the benefit will be to water resources within the County.

C.1 WATER QUALITY

Objective A - Assess the condition of groundwater with the interconnection of land uses and associated pollution risks.

Action C.1/A.1

Provide updated information to Minnesota Geological Survey and Minnesota Department of Health for Minnesota County Well Index (CWI) records where needed.

Time Line	Ongoing
Responsibility	Environmental Services
Financial and In-Kind	In-Kind / \$3,150
Water Resource Benefit	Track & update water resource records

Action C.1/A.2

Utilize the ACCESS well water chemistry database for tracking private wells chemistry data.

Time Line	Ongoing
Responsibility	Environmental Services
Financial and In-Kind	In-Kind / \$348
Water Resource Benefit	Maintain history of water quality, trend analysis

Action C.1/A.3

Participate as a sub-grantee for the continuation of the Southeast Minnesota Volunteer Nitrate Monitoring Network.

Time Line	Ongoing
Responsibility	Environmental Services
Financial and In-Kind	In-Kind / \$9,100 Grant
Water Resource Benefit	Provide trend data on nitrate levels in Winona County

Action C.1/A.4

Participate as a sub-grantee for the Southeast Minnesota Volunteer Targeted Nitrate Monitoring Network.

Time Line	2010 - 2013
Responsibility	Environmental Services
Financial and In-Kind	In-Kind / \$4,255 Grant
Water Resource Benefit	Provide trend data on nitrate levels in Winona County. Investigate nitrate nitrogen concentrations in new water wells constructed in the tunnel city group/wonewoc sandstone.

Objective B - Assist public water suppliers (PWS) in developing and implementing their Wellhead Protection Plans and/or managing their 200-foot inner wellhead management zone. Altura and St. Charles projected within next five years.

Action C.1/B.1

Provide representation on the Wellhead Protection Planning Committee for public water suppliers.

Time Line	Ongoing
Responsibility	Planning / Environmental Services / SWCD
Financial and In-Kind	\$1,000 per yr.
Water Resource Benefit	Water supply protection and education

Action C.1/B.2

Provide information from County records on potential contaminant sources and GIS assistance in mapping and completing potential contaminant source inventory information for public water suppliers.

Time Line	Ongoing
Responsibility	Planning Department
Financial and In-Kind	In-Kind
Water Resource Benefit	Provide support for wellhead protection efforts

Action C.1/B.3

Provide land use and parcel maps to public water suppliers.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Provide support for wellhead protection efforts

Action C.1/B.4

Provide support to the cities of Winona, Goodview, Lewiston, and Utica to carry out their Wellhead Protection Plans.

Time Line	Ongoing
Responsibility	Environmental Services
Financial and In-Kind	In-Kind / \$540
Water Resource Benefit	Groundwater protection

Action C.1/B.5

Target pollution prevention programs in wellhead protection areas.

Time Line	Ongoing
Responsibility	Environmental Services / Health Human Services / SWCD / Planning
Financial and In-Kind	In-Kind / Cost Share / Land Retirement Incentives
Water Resource Benefit	Groundwater protection

Objective C - Assist private well users in protecting and/or improving their drinking water supplies.

Action C.1/C.1

Educate private well owners on the well code, the Water Quality Ordinance and proper well construction, maintenance and sealing, and well setbacks.

Time Line	Ongoing
Responsibility	Environmental Services
Financial and In-Kind	In-Kind / \$42,000
Water Resource Benefit	Groundwater protection

Action C.1/C.2

Host two nitrate clinics a year.

Time Line	Ongoing
Responsibility	SWCD
Financial and In-Kind	In-Kind
Water Resource Benefit	Ensure safe drinking water

Action C.1/C.3

Provide information to health clinics and hospitals concerning the need to test private wells for common contaminants such as nitrates and coliform and the services of the Environmental Services Department regarding testing.

Time Line	Ongoing
Responsibility	Environmental Services
Financial and In-Kind	In-Kind / \$1,700
Water Resource Benefit	Protect infant's health

Action C.1/C.4

Subsidize the cost of water test kits for low-income residents through programs such as the Women, Infants and Children program.

Time Line	Ongoing
Responsibility	Environmental Services / Community Services
Financial and In-Kind	In-Kind and \$471 per yr.
Water Resource Benefit	Protect infant's health

Action C.1/C.5

Publish and distribute grant and loan program information for new well construction and well repair such as the USDA, Rural Development, Section 504 Loan and Grant Program, and the Ag Best Management Program.

Time Line	Ongoing
Responsibility	Environmental Services
Financial and In-Kind	In-Kind / \$100 and grants
Water Resource Benefit	Protect groundwater

Action C.1/C.6

Provide private well owners with abandoned wells cost share money to properly seal their wells and pursue funding opportunities that will allow the development of a grant and/or County revolving loan program fund for well sealing and well replacement.

Time Line	Ongoing
Responsibility	Environmental Services / SWCD
Financial and In-Kind	In-Kind / \$30,000
Water Resource Benefit	Protect groundwater

Objective D - Provide educational opportunities to the public and schools on drinking water issues, land use planning, groundwater quality, and the significance of karst geology.

Action C.I/D.1

Provide the public with groundwater educational materials in print and mixed media.

Time Line	Ongoing
Responsibility	Environmental Services / Planning / SWCD
Financial and In-Kind	\$2,000
Water Resource Benefit	Education and awareness of groundwater

Objective E - Reduce fecal coliform impairments by further implementation of TMDL activities.

Action C.I/E.1

Continue efforts with Whitewater River Watershed Project in addressing TMDL fecal coliform impairments in the watershed through the Bacteria Reduction Project.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Reduce the amount of fecal coliform in surface water

Action C.I/E.2

Host yearly meetings with the MPCA and the public to explain ongoing implementation activities in the Garvin Brook Watershed in addressing TMDL fecal coliform impairments.

Time Line	Ongoing
Responsibility	SRMC Watershed District
Financial and In-Kind	\$500 per yr.
Water Resource Benefit	Education and awareness of water quality

Action C.I/E.3

Implement 10 rotational grazing plans.

Time Line	Three years
Responsibility	SWCD / NRCS
Financial and In-Kind	Cost share
Water Resource Benefit	Improve surface water quality by reducing erosion and runoff

Objective F - The development of turbidity TMDL(s) for streams in the Garvin Brook, White-water River, and Root River Watersheds.

Action C.I/F.1

Host yearly meetings with the MPCA and the public to explain ongoing implementation activities in the Garvin Brook Watershed in addressing TMDL turbidity impairments.

Time Line	Ongoing
Responsibility	SRMC Watershed District
Financial and In-Kind	\$500
Water Resource Benefit	Education and awareness of water quality

Action C. I/F2

Participate with the Whitewater River Watershed Project in hosting yearly meetings with the MPCA and the public to explain ongoing Turbidity TMDL activities in the Whitewater River watersheds.

Time Line	Ongoing
Responsibility	Planning / SWCD / NRCS
Financial and In-Kind	In-Kind / \$500
Water Resource Benefit	Education and awareness of water quality issues

Action C. I/F3

Participate in writing an Implementation Plan based on the TMDL study and assist in executing the plan.

Time Line	Ongoing
Responsibility	Planning / Whitewater River Watershed
Financial and In-Kind	In-Kind
Water Resource Benefit	Water quality planning and implementation

Action C. I/F4

Participate in the Root River Turbidity TMDL by attending Technical Advisory Committee and Stakeholder meeting and providing information upon request.

Time Line	Ongoing
Responsibility	Planning / SWCD
Financial and In-Kind	In-Kind
Water Resource Benefit	Water quality planning

Objective G - The promotion and support of aquatic life assessments for all trout streams in the Buffalo-Whitewater and Root River Watersheds incorporating biological monitoring and biological criteria.

Action C. I/G.1

Host meetings for local government officials and the public regarding monitoring results and assessments from MPCA intensive watershed monitoring activities of 2008 and 2010.

Time Line	2012
Responsibility	Whitewater River Watershed
Financial and In-Kind	In-Kind / \$500
Water Resource Benefit	Education and awareness of water quality issues

Objective H - Increase compliance with 50-foot buffer Shoreland Ordinance requirement in agricultural areas along protected waters.

Action C. I/H.1

Make presentations to the County Board and Township Officers Association regarding the general results of the Whitewater Watershed Project's Environment and Natural Resources Trust Fund project and discuss the importance of stream side buffers.

Time Line	Ongoing
Responsibility	Planning / Whitewater River Watershed
Financial and In-Kind	In-Kind
Water Resource Benefit	Educate about benefits of a shoreland buffer program

Action C.1/H.2

Field verify those areas where the GIS land cover information indicates that the 50-foot buffer is not present.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	\$3,000
Water Resource Benefit	Improve surface water quality by establishing buffers

Action C.1/H.3

Contact those landowners out of compliance with the 50-foot buffer and explain the requirements.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	\$1,000
Water Resource Benefit	Improve surface water quality by establishing buffers

Action C.1/H.4

Distribute educational materials regarding Shoreland buffer requirement and government programs that provide assistance to establish and maintain buffers.

Time Line	Ongoing
Responsibility	Planning / SWCD / NRCS
Financial and In-Kind	\$2,000
Water Resource Benefit	Improve surface water quality by establishing buffers

Action C.1/H.5

Establish a hay-able buffer program.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Make establishing of buffers more appealing

Objective I - Promote buffers around sinkholes.**Action C.1/I.1**

Provide resource support to the Minnesota Geological Survey and the University of Minnesota Department of Geology and Geophysics for field assistance and verification in updating the Karst Feature database utilizing LiDAR.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Maintain information on potential contamination locations

Action C.1/I.2

Inventory surrounding land use around sinkholes.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	\$4,000
Water Resource Benefit	Collect information to improve the management of water resources

Action C.1/I.3

Inform landowners owning land with sinkholes of buffer options and setback requirements.

Time Line	Ongoing
Responsibility	Planning / SWCD / NRCS
Financial and In-Kind	\$1,000
Water Resource Benefit	Minimized the contamination of water resources through sinkholes

Action C.1/I.4

Support the regional ENRTF MN DNR springshed mapping for trout stream management by identifying targeted landowners and making contacts to them regarding the project.

Time Line	Ongoing
Responsibility	Whitewater Watershed Project / Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Assess impacts on springs which are source of cold water to trout streams

C.2 SOIL EROSION, SEDIMENT CONTROL & STORMWATER MANAGEMENT

Objective A - Promote programs that encourage soil conservation.

Action C.2/A.1

Promote projects and activities that educate and encourage cropping practices that minimize soil erosion. Cover cropping, contour farming, crop rotation, conservation cropping systems (No-till, strip-till and ridge-till management)

Time Line	Ongoing
Responsibility	SWCD / NRCS
Financial and In-Kind	Cost share
Water Resource Benefit	Reduce runoff and pollution of water

Objective B - Install grass waterways and grade stabilization structures.

Action C.2/B.1

Identify hot spots for gullies and other sources of erosion. Contact landowners with options for cost share and technical assistance to address erosion concerns.

Time Line	Ongoing
Responsibility	SWCD / NRCS / Whitewater River Watershed
Financial and In-Kind	In-Kind
Water Resource Benefit	Identify areas to concentrate conservation efforts

Action C.2/B.2

Install 40 grade stabilization structures in high-prioritized areas.

Time Line	Ongoing
Responsibility	SWCD / NRCS
Financial and In-Kind	\$116,000 per yr.
Water Resource Benefit	Reduce erosion and improve water quality

Action C.2/B.3

Install 5,000 feet of waterways and diversions per year in high-prioritized areas.

Time Line	Ongoing
Responsibility	SWCD / NRCS
Financial and In-Kind	\$30,000 per yr.
Water Resource Benefit	Control runoff and improve water quality

Action C.2/B.4

Inspect, maintain, and oversee maintenance of conservation structures according to BWSR guidelines.

Time Line	Ongoing
Responsibility	SWCD / Whitewater River Watershed District
Financial and In-Kind	In-Kind
Water Resource Benefit	Ensure structures continue to provide benefits they were designed for

Objective C - Promote and Protect forest resources.

Action C.2/C.1

Maintain and assist with Forest Stewardship Plans.

Time Line	Ongoing
Responsibility	SWCD / NRCS
Financial and In-Kind	\$16,000 per yr.
Water Resource Benefit	Enhance ability of forests to provide water resource benefits

Objective D - Promote grass-based agriculture

Actions C.2/D.1

Increase the adoption of rotational grazing by writing 25 grazing plans

Time Line	Ongoing
Responsibility	SWCD / NRCS
Financial and In-Kind	\$35,000 per yr.
Water Resource Benefit	Reduce erosion and runoff and improve water quality

Objective E - All municipal areas meet the principles of the EPA Phase II Stormwater Requirements.

Action C.2/E.1

Assist small cities on stormwater retention/infiltration projects.

Time Line	Ongoing
Responsibility	Planning / SWCD
Financial and In-Kind	In-Kind
Water Resource Benefit	Reduce stormwater runoff and improve water quality

C.3 NUTRIENT, MANURE AND HUMAN WASTE MANAGEMENT

Objective A - Correct open lot runoff from noncompliant feedlots.

Action C.3/A.1

Provide technical assistance for design, installation and implementation of feedlot plans.

Time Line	Ongoing
Responsibility	Planning / SWCD / NRCS
Financial and In-Kind	319-Grants / Cost Share
Water Resource Benefit	Minimize pollution to surface and ground water

Action C.3/A.2

Provide maintenance suggestions and inspections of implemented feedlot projects in accordance with State Standards.

Time Line	Ongoing
Responsibility	SWCD
Financial and In-Kind	In-Kind
Water Resource Benefit	Minimize pollution to surface and ground water

Action C.3/A.3

Provide administrative and technical assistance for correcting manure runoff problems.

Time Line	Ongoing
Responsibility	Planning / SWCD / NRCS
Financial and In-Kind	In-Kind
Water Resource Benefit	Minimize pollution to surface and ground water

Action C.3/A.4

Implement a County Feedlot and Inspection Program

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind / \$56,000 per yr.
Water Resource Benefit	Minimize pollution to surface and ground water

Objective B - Increase the usage of manure management plans among livestock producers.

Action C.3/B.1

Promote and educate landowners on the benefits of manure/nutrient management plans.

Time Line	Ongoing
Responsibility	SWCD / NRCS / Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Educate landowners to actively manage manure and nutrients

Action C.3/B.2

Make the AgBMP Loans available for landowners to purchase manure/nutrient management equipment to meet their manure management plans.

Time Line	Ongoing
Responsibility	SWCD
Financial and In-Kind	In-Kind
Water Resource Benefit	Manage manure and nutrient loads and protect water quality

Action C.3/B.3

Assist feedlot operators with development and implementation of Manure Management Plans.

Time Line	Ongoing
Responsibility	SWCD / NRCS / Whitewater Watershed Project / Planning
Financial and In-Kind	\$45,000 per yr.
Water Resource Benefit	Manage manure and nutrient loads and protect water quality

Action C.3/B.4

Provide livestock producers maps of sensitive features.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Provide education and information

Objective C - Promote pasture management throughout the County.

Action C.3/C.1

Design, implement, and provide technical assistance for pasture management plans.

Time Line	Ongoing
Responsibility	NRCS / SWCD
Financial and In-Kind	In-Kind
Water Resource Benefit	Reduce erosion and improve water quality

Objective D - Address Imminent Threats to Public Health (ITPH) from septic systems.

Action C.3/D.1

Incorporate revisions to the SSTS Ordinance to identify and fix ITPH and systems failing to protect ground water.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	\$5,000
Water Resource Benefit	Identify and fix ITPH and systems failing to protect groundwater

Action C.3/D.2

Follow up on all with ITPH to insure compliance is achieved in required time frames.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	\$2,500
Water Resource Benefit	Protection of ground water and surface waters

Objective E - Update septic system database and GIS to show all septic systems within Winona County.

Action C.3/E.1

Participate as a sub-grantee to develop a comprehensive SSTS database through the Southeast Minnesota Water Resources Board 2010 Clean Water Fund SSTS Program Enhancement Grant.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	\$6,500
Water Resource Benefit	Track SSTS information and facilitate data sharing

Action C.3/E.2

Work with all SSTS professionals to insure that they utilize the electronic based system for submitting Compliance Inspection Reports and other information.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	\$2,500
Water Resource Benefit	Enhance tracking and compliance of septic

Objective F - Initiate projects with small communities with significant wastewater needs.

Actions C.3/F.1

Based on updated septic system information, review and update the list of small communities with wastewater needs.

Time Line	Ongoing
Responsibility	Planning

Financial and In-Kind Water Resource Benefit	In-Kind Find solutions for communities with wastewater problems
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Actions C.3/E.2

Make contact with two communities of greatest need and start task forces.

Time Line	Ongoing
Responsibility	Planning / Southeast Minnesota Wastewater Initiative
Financial and In-Kind	\$3,000 per yr.
Water Resource Benefit	Find solutions for communities with wastewater problems

Objective G – Provide operational and maintenance information to homeowners having septic systems.

Action C.3/G.1

Host yearly Operation and Maintenance Workshop

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	\$500
Water Resource Benefit	Educate public about septic systems

Action C.3/G.2

Provide copies of Septic System Owners Guide to owners of newly installed systems or upon request.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Educate public about septic systems

Objective H - Provide financial assistance to individuals needing replacement systems.

Action C.3/H.1

Participate as a lender of last resort in the MDA AgBMP program.

Time Line	Ongoing
Responsibility	Planning / SWCD
Financial and In-Kind	In-Kind / AgBMP loans
Water Resource Benefit	Financial assistance to protect groundwater from failing septic

Action C.3/H.2

Determine income eligibility of ITPH and noncompliant septic system owners and seek Clean Water Fund grant funds for these individuals.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Protection of ground water and surface water

Objective I - Provide alternative disposal options for hazardous waste and pharmaceuticals.

Action C.3/I.1

Provide Household Hazardous Waste collection facility that accepts household hazardous waste and pharmaceuticals from residents.

Time Line	Ongoing
Responsibility	Environmental Services
Financial and In-Kind	In-Kind / \$181,000

C.4 WATERSHED MANAGEMENT APPROACH

Objective A - Promote and utilize a watershed planning approach in dealing with nonpoint source pollution, soil erosion and hydrologic problems.

Action C.4/A.1

Promote the formation of community-based watershed groups and watershed planning activities in the watersheds of Big Trout, Gilmore Creek, Pleasant Valley Creek and Rush Pine.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Comprehensive grass roots approach to improving water quality

Action C.4/A.2

Support and assist established watershed organizations, Whitewater Watershed Project and the Stockton-Rollingstone-Minnesota City Watershed District, in conducting outreach activities and using Winona County and SWCD programs to address watershed problems.

Time Line	Ongoing
Responsibility	Planning / SWCD / NRCS
Financial and In-Kind	In-Kind
Water Resource Benefit	Coordinating resources to better deal with water issues

Action C.4/A.3

Supply additional support for the Rush-Pine Creek Watershed

Time Line	Ongoing
Responsibility	SWCD / NRCS
Financial and In-Kind	In-Kind
Water Resource Benefit	Facilitate conservation in the watershed

Objective B - Educate residents and local units of government regarding watersheds and water resources.

Action C.4/B.1

Make routine presentation to the County Board and in other forums about County Water Management efforts and the condition of the water resources.

Time Line	Ongoing
Responsibility	Whitewater River Watershed
Financial and In-Kind	In-Kind
Water Resource Benefit	Policy makers understand the importance of ground & surface water protection programs

Action C.4/B.2

Increase school and citizen participation in the MPCA Citizen Stream Monitoring Program, MPCA Citizen Lake Monitoring Program, and macroinvertebrate community monitoring projects.

Time Line	Ongoing
Responsibility	Planning / Whitewater River Watershed
Financial and In-Kind	In-Kind
Water Resource Benefit	Increase information gathered and data collected about water quality

Objective C - Promote GIS data sharing and modeling for assessing watersheds and water resource quality.

Action C.4/C.1

Initiate a project to develop GIS data sharing capability among those groups that monitor water and land uses in Winona County and the region.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Facilitate data sharing to better assess water resource issues

Action C.4/C.2

Evaluate and utilize existing GIS tools for determining the impact of proposed land use activities on watershed hydrology, soil erosion potential, nonpoint pollution runoff potential, and natural resource quality.

Time Line	Ongoing
Responsibility	Planning
Financial and In-Kind	In-Kind
Water Resource Benefit	Assess impacts to water resources

D. Implementation Schedule- Ongoing Activities

This section describes other activities and programs implemented and connected to the local water management program not described in the priority concerns.

Wetland Conservation Act (WCA)

The Wetland Conservation Act of 1991 was adopted by the MN State Legislature with the goal of "no net loss" to Minnesota's remaining wetlands. Wetlands that are drained, filled, or excavated must be replaced or restored to an amount equal or greater in size and quality. Winona County through its Planning Department is the Local Government Unit (LGU) that administers the WCA in Winona County except in the City of Winona.

Shoreland and Floodplain Management

The Department of Natural Resources develops the Shoreland and Floodplain programs before eventually delegating their administration to the LGUs. The Winona County Planning Department is the LGU for the unincorporated areas of the County. These programs are developed to preserve and enhance the quality of surface waters, preserve the economic and natural environmental values of shorelands and provide for the wise utilization of waters and related land resources as well as to minimize adverse affects relating to flood events.

Subsurface Sewage Treatment Systems (SSTS)

The Winona County Planning Department is authorized as the LGU to administer Minnesota Rules Chapter 7080 through 7083 SSTS Program. The Department provides technical assistance, education, plan review, and inspections to protect water quality, prevent and control water borne diseases, and prevent or eliminate public nuisance conditions.

Municipal Wastewater Treatment Facilities

The MPCA regulates and monitors activities related to municipal treatment facilities. The County has input if expansion or upgrading of a facility is proposed.

Solid Waste Management

The Winona County Environmental Services Department provides Solid Waste services and programs that protect both ground and surface water in Winona County. The Department strives to promote recycling, hazardous waste management, and sustainable use of resources by providing comprehensive

curbside and drop site recycling collection along with a household hazardous waste collection facility that is conveniently open Monday-Friday. Both household and very small quantity generator hazardous waste along with pharmaceuticals are accepted at the facility, thus reducing the toxicity of the waste stream generated in Winona County.

Furthermore, the Environmental Services Department organizes special events throughout the year to collect appliances, tires, and fluorescent bulbs. The department regulates the proper disposal of solid waste by licensing all waste haulers and waste management facilities throughout Winona County. A major focus of the department includes communicating with and educating the public on environmental issues, including waste reduction, proper disposal of solid waste, hazardous waste, and pharmaceuticals.

Wells

Winona County, through its Environmental Services Department, protects groundwater resources by administering the requirements of the Minnesota Wells and Borings code delegated to it by the Minnesota Department of Health. Under this program, the county enforces proper well construction and well sealing practices to ensure wells and borings in the county do not provide a pathway to introduce contamination into our groundwater aquifers.

Hazard Mitigation

The Office of Emergency Management and the Planning Department oversee the Hazard Mitigation Plan. The Plan provides information, resources, and direction for public and private entities to assist in the prevention of natural and man-made disasters through coordinated communication efforts. The Plan strives to protect life, property, and environment through natural resource management and land use planning.

Feedlots

Winona County adopted the Feedlot Program in 1996 to encourage the continued production of agricultural commodities, and to maintain a healthy agricultural community within the County while ensuring that farmers properly manage animal feedlots and animal wastes to protect the health of the public and the natural resources of Winona County. The Planning Department implements the Program that is based on MN Rules Chapter 7020 formulated by the Minnesota Pollution Control Agency. This program allows the County to administer the Winona County Feedlot Ordinance and review and issue permits for new and expanding feedlots up to 1,000 animal units. The Planning also has the authority to review and comment on State administered feedlots.

COMMITTEE RECOMMENDATION

RIM Reserve Management Planning Committee

1. RIM-WRP Payment Rates – Kevin Lines – ***DECISION ITEM***
2. RIM-WRP Environment and Natural Resources Trust Fund Allocation – Kevin Lines – ***DECISION ITEM***
3. RIM Red River Wetland Restoration Initiative – Kevin Lines – ***DECISION ITEM***
4. RIM Partners in USDA NRCS Mississippi River Basin Initiative (MRBI) Wetlands Reserve Enhancement Program (WREP) – Kevin Lines – ***DECISION ITEM***
5. RIM Reserve Outdoor Heritage Fund (OHF) Shallow Lakes Shoreland Protection on Wild Rice Lakes Project – Kevin Lines – ***DECISION ITEM***

RIM Reserve 2011-2012					
Subprogram Funding Source	Focus/Description	Eligibility/Criteria	State \$	Other \$'s	Payment Rates RIM WRP
October 2011 Timeline					
Outdoor Heritage Fund FY12-\$16.349M					
OHF RIM-WRP Partnership	Restore drained wetlands and adjacent native grassland complexes	Statewide with focus on LSOHC prairie and forest prairie section.	\$13.0 M		50%RIM 75%WRP Cropland 30 yr. ease. 25%RIM 45%WRP Non-Cropland 30 yr. ease.
OHF RIM Shallow Lake Protection: Wild Rice Lakes DU/DNR/BWSR Partnership	700 ac. on 117 priority shallow wild rice lakes weed permanent protection from future subdivision, development, and shoreline alteration.	8 North-Central counties, DNR's Wild Rice Working Group has identified critical tracts on 117 lakes for easement acquisitions.	\$13.0M of \$21M requires federal WRP leveraging \$1.1M RIM 500 acres		Ongoing FY12 -LSOHC Recommended \$13.8M FY13 Needs Legislative approval Need RRMPC recommendation and Board Approval. Dan Steward is Local Lead.
Clean Water Fund FY12-\$7.3M					
OHF/CWF RIM Riparian Buffers	Permanent Riparian buffers must be adjacent to public water & defined as streams, ditches and lakes, excluding wetlands	Permanent Buffers 50'-100' max. ave. for clean water. Buffer extension to a max. of 200' may be granted for wildlife enhancement (Prairie Section Only) Majority of Riparian Buffer area enrolled must have a cropping history and a priority extending new or existing CRP contract into a permanent buffer easement.	\$6.0M CWF	\$2.249M OHF	100% RIM Cropland 60% RIM Non-Cropland Board authorized on Sept. 28, 2011 staff to develop a ranking process and ranking criteria; finalize, distribute, and promote RFP. Conduct sign-up and selection process with a target date of 12/1/2011.

Subprogram Funding Source	Focus/Description	Eligibility/Criteria	State \$	Other \$'s	Payment Rates RIM WRP	Timeline
RIM Reserve Permanent-CWF Wellhead Protection Easements	WHP easements are limited to WHPA identified by MD Health and mapped as high or very high vulnerability. Focus is on eligible land with a cropping history.	Continuous sign-up only. Land in existing or new CRP contracts that had a cropping history are eligible. A majority greater than 51% of the site must be within WHPA	\$1.3M for each year of the biennium FY12 & 13		100% RIM Cropland 60% RIM Non-Cropland	Board Approved Sept. 28, 2011 Sign-up ongoing
Department of Defense Federal Funds-National Guard Bureau						
Camp Ripley-ACUB	In a three mile buffer around Camp Ripley we acquire permanent ACUB easements. A signed cooperative agreement with the National Guard Bureau & BWSR will be developed, funded and signed will be done shortly.	Camp Ripley staff and local SWCD's identified landowners who have expressed interest in enrolling in ACUB and submit applications to BWSR.	Expect \$1-5M from Department of Defense in 2011-2012		For riparian lands in ACUB project area on Mississippi & Crow Wing River Frontage property. 60% of individual taxable market value issued as determined by county assessors. For non-riparian 50% RIM rate.	Board approved additional payment rate for riparian properties; and authorize staff to develop, finalize, & sign next cooperative agreement with NGB. Ongoing as we received funds from Dept. of Defense for Camp Ripley ACUB.
2010 Special Session Bonding-\$10M						
RIM Reserve-Southern Flood Response Special Session Bonding (2010)	Southern MN Flood Disaster to acquire permanent easements to restore Floodplains riparian buffers and wetland in DR-1941 on lands damaged by rains and flooding on Sept. 22, 2010	29 Southern Minnesota counties identified in DR-1941. Rim Reserve funds are intended for leveraging of federal funds when feasible.	\$10M bonding leveraging up to \$16M WRP funds.		50%RIM Cropland 25%RIM Non-Cropland 75%WRP 45%WRP Non-Cropland	Ongoing we received over 200 applications requesting more than \$42M we have funded 78 applications for 4600 acres obligate \$8.6M & \$13.0M WRP funds.

Subprogram Funding Source	Focus/Description	Eligibility/Criteria	State \$	Other \$'s	Payment Rates RIM WRP	Timeline
RIM-Reserve 2011 Bonding-\$20M						
Water Quality Initiatives:						
USDA-NRCS Mississippi River Basin Initiatives (MRBI) and Wetland Reserve Enhancement Program (WREP) begin in 2010	<p>USDA-NRCS in Minnesota has 3 multi-year MRBI-WREP's which are:</p> <ul style="list-style-type: none"> -Lower Root River (Houston) -Cedar (Mower) -Sauk River Watershed, Crooked Lake (Douglas) 	Must be eligible for WRP Program specific to the MRBI-WREP, which we can then leverage with RIM Reserve and use our RIM-WRP Partnership methodology.	<p>\$2.5M + \$4M-WRP \$0.5M + \$1.5M-WRP <u>\$3.0M</u> + <u>\$4M-WRP</u> \$6.0M \$9.5M</p>		<p>RIM-WRP Partnership rate:</p> <p>50%RIM 75%WRP Cropland</p> <p>25% RIM 45%WRP Non-Cropland</p>	<p>Need RRMPC recommendation & Board Approval.</p> <p>Board meeting scheduled for October 26th.</p>
Flood Damage Reduction & Retention Initiatives						
Red River Retention Initiatives	USDA NRCS has just begun a multi-year special wetlands initiative in the Red River Basin to reduce flooding, restore wetland, and enhance habitat through the WRP.	RIM funds will be used to leverage WRP through the RIM-WRP Partnership to meet the goals of this new initiative in the RR basin.	\$14M WRP funds over the next 2 years have been identified. To fully leverage RIM-WRP Partnership would require approximately \$9M in RIM.		RIM-WRP Partnership rates would be used.	<p>Need RRMPC recommendation & Board Approval.</p> <p>Board meeting scheduled for October 26th.</p>

Subprogram Funding Source	Focus/Description	Eligibility/Criteria	State \$	Other \$'s	Payment Rates RIM WRP	Timeline
Fund Additional Southern Minnesota Flood Response sign-ups from bonding	Southern Minnesota Flood Disaster to acquire permanent easements to restore Floodplains riparian buffers and wetland in DR-1941 on lands damaged by rains and flooding on September 22, 2010.	29 Southern Minnesota counties identified in DR-1941. Rim Reserve funds are intended for leveraging of federal funds when feasible.			50%RIM Cropland 25%RIM Non-Cropland 75%WRP 45%WRP	Need RRMPC recommendation & Board Approval. Board meeting scheduled for October 26th.
Wetland Restoration						
Fund additional RIM-WRP Partnership from Bond dollars. (Supplant issue)	Restore drained wetlands and adjacent native grassland complexes	Statewide with focus on LSOHC prairie and forest prairie section	Requires federal leveraging		50%RIM Cropland 30 yr. ease. 25%RIM Non-Cropland 30 yr. ease. 75%WRP 45%WRP	Ongoing Need RRMPC recommendation & Board Approval. Board meeting scheduled for October 26th.
Environment and Natural Resources Trust Fund-\$1.645M						
RIM-WRP Partnership ENRTF	Restore drained wetlands and adjacent native grassland complexes	Special project Have identified Crooked Lake (Douglas County) for this project.	\$1.645M RIM Requires federal leveraging.		50%RIM Cropland 30 yr. ease. 25%RIM Non-Cropland 30 yr. ease. 75%WRP 45%WRP	Need RRMPC recommendation & Board Approval. Board meeting scheduled for October 26th.

Outdoor Heritage Fund FY12-\$16.349M					
OHF RIM Shallow Lake Protection: Wild Rice Lakes DU/DNR/BWSR Partnership	700 ac. on 117 priority shallow wild rice lakes weed permanent protection from future subdivision, development, and shoreline alteration.	8 North-Central counties, DNR's Wild Rice Working Group has identified critical tracts on 117 lakes for easement acquisitions.	\$1.1M RIM 500 acres	ACUB-Like Formula to be developed a % of individual taxable market value will be offered as determined by County Assessor.	Need RRMPC recommendation and Board Approval. Dan Steward is Local Lead.



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

RIM RESERVE AND RIM-WRP PAYMENT RATES

Meeting Date: October 26, 2011

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☒ Decision ☐ Discussion ☐ Information

Section/Region: Conservation Easement

Contact: Kevin Lines

Prepared by: Kevin Lines

Reviewed by: RIM Reserve Management Planning Committee(s)

Presented by: Kevin Lines

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☒ Resolution ☐ Order ☐ Map ☐ Other Supporting Information

Fiscal/Policy Impact

- | | |
|--|---|
| <input type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input checked="" type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| | <input type="checkbox"/> Clean Water Fund Budget |
| <input type="checkbox"/> Other: _____ | |

ACTION REQUESTED

The Board is requested to approve the recommendations of the RRMPC to authorize staff to establish payment rates for the RIM Reserve Conservation Easement Program (RIM Reserve) and the RIM-WRP Partnership based on statute and other relevant market factors. In addition, the Board is requested to authorize staff to develop alternative payment rates for other targeted RIM Reserve easement acquisitions to be included in separate resolutions.

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

The RRMPC met on October 14, 2011 to review and recommend authorization for staff to successfully implement the RIM Reserve and RIM-WRP Partnership payment rates consistent with other relevant Board policies.

This authorizes staff to establish payments rates for the RIM Reserve and RIM-WRP Partnership as described above.

Board Resolution # _____

**RIM RESERVE AND
RIM RESERVE - WETLANDS RESERVE PROGRAM (RIM-WRP) PARTNERSHIP
PAYMENT RATES**

WHEREAS M.S. 103F.515., Subd. 6 authorizes the Board to establish payment rates for conservation easements and related practices.

WHEREAS the same statute states that the Board shall consider market factors, including the township average equalized estimated market value of property as established by the Commissioner of Revenue at the time of easement application;

WHEREAS other relevant market factors include: land value sales trends, recent similar land sales, relevant appraisals, property tax valuations, agricultural commodity prices, environmental benefits, and the time between an easement offer and the completion of the acquisition process;

WHEREAS RIM Reserve Conservation Easement Program (RIM Reserve) funding may be directed or intended to leverage federal Wetlands Reserve Program (WRP) funds appropriated to the Natural Resources Conservation Service (NRCS);

WHEREAS the Board and NRCS staff, in consultation with the University of Minnesota Applied Economics Department, have determined that the most recent Township Average Tillable Land Value (TATLV) as established by the Minnesota Department of Revenue and posted at the Minnesota Land Economic Website: www.landeconomics.umn.edu is the most relevant, consistent and available land value data to use as the basis for easement payment rates;

WHEREAS the Board has authorized staff to work with Minnesota NRCS to develop RIM-WRP Partnership payment rates, eligibility, and sign-up procedures for the RIM-WRP Partnership;

WHEREAS the Minnesota NRCS has adopted Geographic Area Rate Caps (GARCs) for townships which correspond to the Township Average Tillable Land Value (TATLV) for their WRP permanent easement payment rates;

WHEREAS the Minnesota NRCS has adopted a 30-year WRP payment rate, specific to the RIM-WRP Partnership, for cropland acres and for non-cropland acres;

WHEREAS the BWSR RIM Reserve Management Planning Committee met on Wednesday, October 14, 2011 and unanimously recommends the following payment rate provisions to successfully implement the RIM-WRP Partnership and other RIM Reserve programs;

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to establish the RIM Reserve and RIM-WRP Partnership payment rates as follows:

1. Develop payment rates that best approximate 90% of land value for permanent easements on land with a cropping history and 60% of land value for permanent easements on lands without a cropping history. The basis shall be the TATLV as established by the county assessor and published on the Minnesota Land Economics website (excluding municipal areas).
 - a. The RIM Reserve payment rate for eligible croplands being enrolled is not to exceed 100% of the TATLV and for non-cropland acres is not to exceed 60% of TATLV.
 - b. The RIM Reserve portion of the payment rate for wetland restorations eligible for the RIM-WRP Partnership for cropland acres is not to exceed 50% of the TATLV and not to exceed 25% of the TATLV for non-cropland acres.
 - c. The payment rate maximum in Hennepin and Ramsey Counties will not exceed the highest average township rate from any of the other surrounding seven metro area counties due to a limited number of tillable land acres, and values that are influenced by development potential.
 - d. The payment rate maximum for the other five Twin Cities metro counties will not exceed the average Scott County rate to more accurately reflect tillable values.
2. Other targeted RIM Reserve easement payment rates are included in separate resolutions.
3. The payment rate components of Board Resolution #11-19 (attached) are hereby rescinded.

Dated at Saint Paul, Minnesota this 26th day of October, 2011.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

Board Resolution # 11-19

Reinvest in Minnesota (RIM) Reserve - Wetlands Reserve Program (RIM-WRP) Partnership: Payment Rates & 2011 Sign-up

WHEREAS anticipated 2011 RIM Reserve funding from the Outdoor Heritage Fund (OHF) is intended to leverage Federal Wetlands Reserve Program (WRP) funds appropriated to the Natural Resources Conservation Service (NRCS);

WHEREAS the RIM Reserve Conservation Easement Program is administered by BWSR in cooperation with local Soil and Water Conservation Districts (SWCDs);

WHEREAS SWCDs will be reimbursed for their services related to the RIM-WRP Partnership at the approved RIM service rate as established in Resolution #08-84;

WHEREAS the Board has authorized staff to work with Minnesota NRCS to develop RIM-WRP Partnership payment rates, eligibility, and sign-up procedures for the RIM-WRP Partnership;

WHEREAS the Board and NRCS staff in consultation with the University of Minnesota Applied Economics Department, have determined that the most recent Average Assessed Tillable Value (AATV) by township as established by the Minnesota Department of Revenue is the most relevant, consistent and available land value data to use as the basis for easement payment rates as posted at the Minnesota Land Economic Website: www.landeconomics.umn.edu;

WHEREAS the Minnesota NRCS has adopted Geographic Area Rate Caps (GARC's) for townships which correspond to the Average Assessed Tillable Value as determined by county assessors for their WRP permanent easement rate on cropland. For non-cropland WRP has established 60% of AATV as their easement rate;

WHEREAS the Minnesota NRCS has adopted a 30-year WRP payment rate, specific to the RIM-WRP Partnership, of 75% AATV for cropland acres and 45% of AATV for non-cropland acres;

WHEREAS a subcommittee may be appointed by the chair of the BWSR to review the applications and make project selections in coordination with Minnesota NRCS;

WHEREAS the BWSR RIM Reserve Management Planning Committee met on Wednesday, February 23rd, 2011 and unanimously recommends the following provisions to successfully implement the RIM-WRP Partnership Program;

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to develop and implement the RIM-WRP Partnership as follows:

1. Continuous enrollment period to begin no sooner than April 2011 for the RIM-WRP Partnership.
2. Staff is authorized to develop eligibility, prioritization, sign-up and selection procedures for the RIM-WRP Partnership.
- 3a. The payment rate for eligible croplands enrolling in the RIM Reserve Program is not to exceed 100% of the AATV and for non-cropland acres and not to exceed 60% of AATV.
- 3b. The payment rate for wetland restorations eligible for the RIM-WRP Partnership for cropland acres is not to exceed 125% of the Average Assessed Tillable Value (AATV) and for non-cropland acres not to exceed 70% of the AATV.
- 3c. Rates are to be calculated using the most current township average tillable property value as established by the Minnesota Department of Revenue.

Dated at Saint Paul, Minnesota this 23rd day of March, 2011.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____



Brian Napstad, Chair



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

RIM-WRP ENRTF ALLOCATION

Meeting Date: October 26, 2011

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☐ Decision ☐ Discussion ☐ Information
Section/Region: Conservation Easement
Contact: Kevin Lines
Prepared by: Kevin Lines
Reviewed by: RIM Reserve Management Planning Committee(s)
Presented by: Kevin Lines

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☒ Resolution ☐ Order ☐ Map ☐ Other Supporting Information

Fiscal/Policy Impact

- ☐ None ☐ General Fund Budget
☐ Amended Policy Requested ☐ Capital Budget
☒ New Policy Requested ☐ Outdoor Heritage Fund Budget
☐ Clean Water Fund Budget
- ☒ Other: Environment and Natural Resources Trust Fund

ACTION REQUESTED

The Board is requested to approve the recommendation of the RIM Reserve Management Planning Committee (RRMPC) to authorize the allocation of \$1.645M in Environment and Natural Resources Trust Fund (ENRTF) to the RIM-WRP partnership to be used in the NRCS approved MRBI-WREP Crooked Lake project in Douglas County.

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

The RRMPC met on October 14, 2011 to review and recommend the following to successfully implement the RIM-WRP Partnership in the NRCS approved MRBI-WREP Crooked Lake project in Douglas County.

The Board received \$1.645 ENRTF for the RIM-WRP Partnership. This authorizes designation of these funds to this project, and authorizes staff to successfully implement the RIM-WRP Partnership in the NRCS approved MRBI-WREP Crooked Lake project in Douglas County.

Board Resolution # _____

RIM RESERVE – WETLANDS RESERVE PROGRAM (RIM-WRP) PARTNERSHIP

2011 ENVIRONMENT NATURAL RESOURCES TRUST FUND (ENRTF) ALLOCATION

WHEREAS the Minnesota State Legislature appropriated \$1.645 million of ENRTF dollars to the RIM Reserve Conservation Easement Program (RIM Reserve) in the 2011 Special Session, Chapter 2, Article 3, Section 2, Subd. 9 to acquire permanent conservation easements and restore wetlands and associated upland habitat in cooperation with the United States Department of Agriculture (USDA) Wetlands Reserve Program (WRP);

WHEREAS the RIM-WRP Partnership is possible through collaboration of many local, state and federal partners including Ducks Unlimited (DU), the Minnesota Waterfowl Association (MWA), Pheasants Forever (PF), the Minnesota Department of Natural Resources (MN DNR), and the United States Fish and Wildlife Service (USFWS);

WHEREAS the RIM-WRP Partnership permanently protects and restores previously drained wetland and adjacent native grasslands to achieve the greatest wetland functions and values, while optimizing wildlife habitat on private lands enrolled in the Partnership;

WHEREAS the Crooked Lake Restoration Project in Douglas County was identified by the aforementioned partners as a critical and unique opportunity to achieve habitat restoration and water quality and water storage benefits in the upper part of the Sauk River Watershed;

WHEREAS BWSR senior management staff solicited project suggestions for meeting the goals of the ENRTF appropriation and recommended the Crooked Lake Project in Douglas County for consideration;

WHEREAS the RIM Reserve is administered by the BWSR in cooperation with local Soil and Water Conservation Districts (SWCDs);

WHEREAS SWCDs will be reimbursed for their services using the most current RIM Reserve services rate;

WHEREAS RIM Reserve funding may be intended or directed to leverage federal WRP funds appropriated to the NRCS;

WHEREAS the Board has established the RIM-WRP Partnership payment rates and RIM Reserve payment rates;

WHEREAS the Board's RIM Reserve Management Planning Committee met on Friday, October 14, 2011 to review and recommends the allocation of \$1.645M ENRTF to be used in the Crooked Lake MRBI-WREP Crooked Lake project in Douglas County;

NOW, THEREFORE, BE IT RESOLVED THAT, the Minnesota Board of Water and Soil Resources authorizes staff to work with Minnesota NRCS and Douglas SWCD to develop the RIM-WRP Partnership eligibility, selection criteria and sign-up procedures for the NRCS approved MRBI-WREP Crooked Lake project in Douglas County to successfully implement the RIM-WRP Partnership in recognition of, and consistent with, the findings noted above.

Dated at Saint Paul, Minnesota this 26th day of October, 2011.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: RIM Red River Wetland Restoration Initiative

Meeting Date: October 26, 2011

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☐ Decision ☐ Discussion ☐ Information

Section/Region: Conservation Easement

Contact: Kevin Lines

Prepared by: Kevin Lines

Reviewed by: RIM Reserve Mgmt Planning Committee(s)

Presented by: Kevin Lines

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☒ Resolution ☐ Order ☐ Map ☐ Other Supporting Information

Fiscal/Policy Impact

- | | |
|--|---|
| <input type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input checked="" type="checkbox"/> Capital Budget |
| <input checked="" type="checkbox"/> New Policy Requested | <input type="checkbox"/> Outdoor Heritage Fund Budget |
| | <input type="checkbox"/> Clean Water Fund Budget |
| <input type="checkbox"/> Other: _____ | |

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to authorize the allocation of up to \$5M in Capital Budget RIM Reserve Funds to the NRCS approved Wetland Conservation Initiative for the Red River of the North Watershed.

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

The RRMPC met on October 14, 2011 to review and recommend the following to successfully implement the RIM-WRP Partnership in the Wetland Conservation Initiative for the Red River of the North Watershed project.

The BWSR received \$20M in capital budget investment bonds in 2011 for the RIM Reserve Program. This authorizes the allocation of up to \$5M to the RIM-WRP Partnership to be used in the NRCS approved Wetland Restoration Conservation Initiative in the Red River of the North Watershed, and authorizes staff to successfully implement the RIM-WRP Partnership for this initiative.

Board Resolution # _____

**RIM RESERVE JOINT USDA NRCS WETLAND RESTORATION CONSERVATION
INITIATIVE FOR THE RED RIVER OF THE NORTH WATERSHED**

WHEREAS the Minnesota State Legislature appropriated \$20 million of Capital Investment Bonds to the RIM Reserve Conservation Easement Program (RIM Reserve) in the 2011 Special Session, Chapter 12, Section 7, Subd. 2 to acquire conservation easements to preserve, restore, create, and enhance wetlands; restore and enhance rivers and streams, riparian lands, and associated uplands in order to protect soil and water quality; to support fish and wildlife habitat, reduce flood damage, and to provide other public benefits;

WHEREAS the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) established a multi-year *Wetland Restoration Conservation Initiative for the Red River of the North Watershed*, with input from many partners to utilize the Wetlands Reserve Program (WRP) to address concerns related to loss of wildlife habitat, water quality and water quantity concerns;

WHEREAS NRCS has been provided assistance from many partners including the Minnesota Board of Water and Soil Resources (BWSR), local Soil and Water Conservation Districts (SWCDs), watershed districts, water boards and the newly established Red River Retention Authority (RRRA);

WHEREAS the RRRA has served as a facilitating body for this project and other efforts in the Red River basin focused on natural resources concerns and inter-governmental cooperation. In this role, the RRRA has assisted NRCS with project guidelines, priorities and outreach;

WHEREAS the RRRA proposed and NRCS accepted the concept of the location of an easement relative to Red River peak flows;

WHEREAS Red River watershed districts have completed a complex and coordinated hydrologic modeling project which delineated very high to very low areas and their contributions to peak flows in the Red River basin;

WHEREAS this hydrologic modeling allows NRCS and local partners to focus easement acquisition in areas that have the highest potential to reduce peak flows to the Red River while providing wildlife habitat where the most cost-effective dollars spent can be realized;

WHEREAS future WRP easement applications will be brought forward by local partners as well as through the NRCS normal WRP application process;

WHEREAS partner applications are expected to maximize flood mitigation benefits while also providing wildlife and water quality benefits, and regular WRP applications funded will achieve the greatest wetland function and values while optimizing wildlife habitat on the lands enrolled in the easement;

WHEREAS the RIM-WRP Partnership, the premier private lands conservation easement program in the nation, is a local-state-federal partnership delivered locally by NRCS, the SWCDs and the BWSR;

WHEREAS the RIM Reserve is administered by the BWSR, in cooperation with local Soil and Water Conservation Districts (SWCDs);

WHEREAS SWCDs will be reimbursed for their services using the most current RIM Reserve services rate;

WHEREAS the RIM-WRP Partnership is possible through the collaboration of many local, state, and federal partners included but not limited to Ducks Unlimited (DU), Pheasants Forever (PF), Minnesota Waterfowl Association (MWA), the Nature Conservancy (TNC), the Minnesota Department of Natural Resources (MN DNR), United States Fish and Wildlife Service (USFWS), and watershed districts;

WHEREAS the Board has established the RIM-WRP Partnership payment rates and RIM Reserve payment rates;

WHEREAS a Minnesota Wetlands Restoration Evaluation worksheet and the hydrologic modeling will be used to score and rank applications for the RIM-WRP Partnership in the *Wetland Restoration Conservation Initiative for the Red River of the North Watershed* project areas;

WHEREAS of RIM Reserve bond funding was sought, in part, to leverage federal WRP funds appropriated by the NRCS for Minnesota's approved *Wetland Restoration Conservation Initiative for the Red River of the North Watershed* project;

WHEREAS a subcommittee may be appointed by the Chair of the BWSR to review the applications and make project selections in coordination with Minnesota NRCS;

WHEREAS the BWSR RIM Reserve Management Planning Committee met on Friday, October 14, 2011 to review and recommend the following provisions to successfully implement the RIM-WRP Partnership in the USDA-NRCS *Wetland Restoration Conservation Initiative for the Red River of the North Watershed* project areas in Minnesota in recognition of and consistent with the findings noted above;

NOW, THEREFORE, BE IT RESOLVED, THAT, the Board authorizes staff to:

1. Allocate up to \$5M for the Wetland Restoration Conservation Initiative for the Red River of the North Watershed project and implement the project consistent with this and other relevant Board policies, and
2. Work with Minnesota NRCS and local project review teams and sponsors to develop the RIM-WRP Partnership eligibility, sign-up procedures, and project selection for the RIM-WRP Partnership to be used in the approved USDA-NRCS *Wetland Restoration Conservation Initiative for the Red River of the North Watershed* project areas.

Dated at Saint Paul, Minnesota this 26th day of October, 2011.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

Board of Water and Soil Resources



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

RIM PARTNERS IN MRBI-WREP

Meeting Date: October 26, 2011

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☐ Information

Section/Region: Conservation Easements

Contact: Kevin Lines

Prepared by: Kevin Lines

Reviewed by: RIM Reserve Management Planning Committee(s)

Presented by: Kevin Lines

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☒ Resolution ☐ Order ☐ Map ☐ Other Supporting Information

Fiscal/Policy Impact

☐ None

☐ Amended Policy Requested

☒ New Policy Requested

☐ General Fund Budget

☒ Capital Budget

☐ Outdoor Heritage Fund Budget

☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

The Board is requested to approve the recommendation of the RRMPC to authorize the allocation of up to \$5M in capital budget RIM Reserve funds to the NRCS approved Mississippi River Basin Initiative-Wetlands Reserve Enhancement Program (MRBI-WREP) in three approved project areas.

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

The RRMPC met on October 14, 2011 to review and recommend the following to successfully implement the RIM-WRP Partnership in the NRCS MRBI-WREP approved project areas.

The BWSR received \$20M in capital investment bonds in 2011 for the RIM Reserve Program. This authorizes the allocation of up to \$5M to the RIM-WRP Partnership, and authorizes staff to successfully implement the RIM-WRP Partnership in the approved MRBI-WREP project areas.

Board Resolution # _____

**RIM RESERVE PARTNERS IN
USDA NRCS MISSISSIPPI RIVER BASIN INITIATIVE (MRBI)
WETLANDS RESERVE ENHANCEMENT PROGRAM (WREP)**

WHEREAS the Minnesota State Legislature appropriated \$20 million of Capital Investment Bonds to the RIM Reserve Conservation Easement Program (RIM Reserve) in the 2011 Special Session, Chapter 12, Section 7, Subd. 2 to acquire conservation easements to preserve, restore, create, and enhance wetlands; restore and enhance rivers and streams, riparian lands, and associated uplands in order to protect soil and water quality; to support fish and wildlife habitat, reduce flood damage, and to provide other public benefits;

WHEREAS the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) established the Mississippi River Basin Healthy Watersheds Initiative (MRBI) Wetland Reserve Enhancement Program (WREP) in 2010. Under MRBI-WREP, NRCS links with partners to help address conservation concerns and opportunities within the watershed of the Mississippi River Basin. In approved, MRBI-WREP project areas, funds are available through the Wetlands Reserve Program (WRP);

WHEREAS under MRBI-WREP, NRCS selected three focus watershed areas for funding in Minnesota in 2010. Their hydrologic unit codes (HUC) have been selected to improve water quality by reducing nitrogen and sediment levels in the watersheds of the Mississippi River Basin, as well as improve wildlife habitat and restore wetlands;

WHEREAS local partnerships in the following three approved NRCS MRBI-WREP project areas were approved for multi-year funding in Minnesota. They are the 1) Lower Root River located in Houston County, 2) the Cedar River in Mower county, and 3) Crooked Lake in Douglas County;

WHEREAS the RIM Reserve is administered by the BWSR, in cooperative with local Soil and Water Conservation Districts (SWCDs);

WHEREAS SWCDs will be reimbursed for their services using the most current RIM Reserve services rate;

WHEREAS RIM Reserve bond funding was sought, in part, to leverage federal WRP funds appropriated by the NRCS for Minnesota's approved MRBI-WREP projects;

WHEREAS the RIM-WRP Partnership, the premier private lands conservation easement program in the nation, is a local-state-federal partnership delivered locally by NRCS, the SWCDs and the BWSR;

WHEREAS the RIM-WRP Partnership is possible through the collaboration of many local, state, and federal partners included but not limited to Ducks Unlimited (DU), Pheasants Forever (PF), Minnesota Waterfowl Association (MWA), the Nature Conservancy (THC), the Minnesota Department of Natural Resources (MNDNR), and the United States Fish and Wildlife Service (USFWS);

WHEREAS the Board has established the RIM-WRP Partnership payment rates and the RIM Reserve payment rates;

WHEREAS the Board authorized staff to work with Minnesota NRCS and project sponsors to develop the RIM-WRP Partnership eligibility, sign-up procedures, and project selection for the RIM-WRP Partnership to be used in the approved MRBI-WREP project areas;

WHEREAS a subcommittee may be appointed by the Chair of the BWSR to review the applications and make project selections in coordination with Minnesota NRCS;

WHEREAS the BWSR RIM Reserve Management Planning Committee met on Friday, October 14, 2011 to review and recommend the following provisions to successfully implement the RIM-WRP Partnership in the NRCS approved MRBI-WREP project areas in Minnesota in recognition of and consistent with the findings noted above;

NOW, THEREFORE, BE IT RESOLVED, THAT, the Board authorizes staff to allocate up to \$5M for the three NRCS MRBI-WREP project areas and implement the projects consistent with this and other relevant Board policies.

Dated at Saint Paul, Minnesota this 26th day of October, 2011.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

Board of Water and Soil Resources



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE:

RIM OUTDOOR HERITAGE FUND (OHF) SHALLOW LAKES SHORELANDS

Meeting Date: October 26, 2011

Agenda Category: ☒ Committee Recommendation ☒ New Business ☐ Old Business
Item Type: ☐ Decision ☐ Discussion ☐ Information
Section/Region: Conservation Easement
Contact: Kevin Lines
Prepared by: Kevin Lines
Reviewed by: RIM Reserve Management Planning Committee(s)
Presented by: Kevin Lines

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☒ Resolution ☐ Order ☐ Map ☐ Other Supporting Information

Fiscal/Policy Impact

- | | |
|--|--|
| <input type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input checked="" type="checkbox"/> New Policy Requested | <input checked="" type="checkbox"/> Outdoor Heritage Fund Budget |
| | <input type="checkbox"/> Clean Water Fund Budget |
| <input type="checkbox"/> Other: _____ | |

ACTION REQUESTED

The Board is requested to approve the recommendations of the RRMPC to authorize the allocation of \$1.891M in Outdoor Heritage Funds (OHF) to the RIM Reserve Shallow Lakes Shoreland Protection on Wild Rice Lakes Project. The Board is further requested to establish a payment rate for this project of 60% of the most recently assessed taxable market value of the land as determined by the county assessor of the county where the land is located.

SUMMARY *(Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)*

The RRMPC met on October 14, 2011 to review and recommend the following to successfully implement a new RIM Reserve Shallow Lakes Shoreland Protection on Wild Rice Lakes Project in North Central MN. This project is funded with OHF dollars. This authorizes the allocation of \$1.891M in Outdoor Heritage Funds (OHF) to the RIM Reserve Shallow Lakes Shoreland Protection on Wild Rice Lakes Project, authorizes the payment rate described above, and authorizes staff to develop eligibility, sign-up and selection procedures to be used in the RIM Reserve Shallow Lakes Shoreland Protection on Wild Rice Lakes Project.

Board Resolution # _____

**RIM RESERVE OUTDOOR HERITAGE FUNDED (OHF)
SHALLOW LAKES SHORELAND PROTECTION ON WILD RICE LAKES PROJECT
FUND ALLOCATION, ELIGIBILITY, PAYMENT RATES AND SIGN-UP PROCEDURES**

WHEREAS the Minnesota State Legislature appropriated \$1.891M of Outdoor Heritage Funds (OHF) for fiscal year 2012, to the Board of Water and Soil Resources (BWSR) for an agreement with Ducks Unlimited (DU) to acquire wild rice lake shoreland habitat in fee or a permanent conservation easement interest as follows: \$500,000 to the Department of Natural Resources (MN DNR); \$1,100,000 to the BWSR and \$291,000 to DU;

WHEREAS Minnesota has more acres of natural wild rice than any other state in the country, and wild rice is an important social and cultural component for Native American tribes and rural Minnesota communities;

WHEREAS The Lessard-Sams Outdoor Heritage Council's top priority action identified for the northern forest section of Minnesota is to "protect shoreland and restore and enhance critical habitat on wild rice lakes and shallow lakes;

WHEREAS BWSR and DU will work closely with the local SWCD to offer permanent shoreland conservation easements on shallow lakes through the RIM Reserve Conservation Easement Program (RIM Reserve) (500 acres) and DU's conservation easement program (50 acres). Additionally, the MN DNR will also secure fee-title acquisitions (50 acres) on key tracts when landowners prefer to sell fee-title rather than an easement interest, and has holdings in public land a key parcel adjacent to public land;

WHEREAS the RIM Reserve is administered by the BWSR in cooperation with local SWCDs;

WHEREAS the SWCDs will be reimbursed for their services using the most current RIM Reserve services rate;

WHEREAS the Board has authorized staff to work with DU, MN DNR, and the involved SWCDs to successfully develop and implement the *Shallow Lakes Shoreland Protection on Wild Rice Lakes Project* in eight counties, specifically Aitkin, Carlton, Cass, Crow Wing, Hubbard, Itasca, St. Louis, and Wadena counties in north central Minnesota, consistent with all statute and provisions;

WHEREAS BWSR, DU and involved SWCDs will target specific tracts identified based on the degree to which they will add to the base of land in permanent protection around the targeted 117 shallow wild rice lakes as identified by the Wild Rice Working Group;

WHEREAS BWSR, DU and the involved SWCDs have been evaluating payment formula method alternatives which would create an effective easement payment rate for the *Shallow Lakes Shoreland Protection on Wild Rice Lakes Project* in north central Minnesota;

WHEREAS BWSR, DU and involved SWCD staff are recommending a payment rate for this project to be 60% of the most recent assessed taxable market value of the land as determined by the county assessor of the county where the land is located;

WHEREAS the BWSR RIM Reserve Management Planning Committee met on October 14, 2011 to review and recommend the following provisions to successfully implement the *Shallow Lakes Shoreland Protection on Wild Rice Lakes Project* through the RIM Reserve;

NOW, THEREFORE, BE IT RESOLVED THAT, the Board authorizes staff to:

1. develop eligibility, prioritization, sign-up and selection procedures, and;
2. establish payment rates for the *Shallow Lakes Shoreland Protection on Wild Rice Lakes Project* at 60% of the most recently assessed taxable market value of the land as determined by the county assessor of the county where the land is located.

Dated at Saint Paul, Minnesota this 26th day of October, 2011.

MINNESOTA BOARD OF WATER AND SOIL RESOURCES

By: _____

Brian Napstad, Chair

OLD BUSINESS

1. Clean Water Fund/Outdoor Heritage Fund RIM Reserve Riparian Buffer – Kevin Lines – ***INFORMATION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: RIM CWF & OHF RIM RESERVE BUFFERS

Meeting Date: October 26, 2011

Agenda Category: ☐ Committee Recommendation ☐ New Business ☒ Old Business
Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region: Conservation Easement

Contact: Kevin Lines

Prepared by: Kevin Lines

Reviewed by: RIM Reserve Management Planning Committee(s)

Presented by: Tabor Hoek/Kevin Lines

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☐ Resolution ☐ Order ☐ Map ☐ Other Supporting Information

Fiscal/Policy Impact

- | | |
|---|--|
| <input type="checkbox"/> None | <input type="checkbox"/> General Fund Budget |
| <input type="checkbox"/> Amended Policy Requested | <input type="checkbox"/> Capital Budget |
| <input type="checkbox"/> New Policy Requested | <input checked="" type="checkbox"/> Outdoor Heritage Fund Budget |
| | <input checked="" type="checkbox"/> Clean Water Fund Budget |
| <input type="checkbox"/> Other: _____ | |

ACTION REQUESTED

SUMMARY (Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation)

The RRMPC met on October 14, 2011 to review and recommend the ranking process and timeline for the CWF and OHF RIM Reserve Riparian Buffer Conservation Easement Project.

At the September 28, 2011 Board meeting, staff were authorized to develop a ranking process which may include the following: project description, anticipated outcomes, project readiness, and prioritization and relationship to plan. In today's presentation, easement staff is outlining the ranking process and timelines for the Board's review. The proposed timeline is as follows:

Sept. 2011	BWSR Authorized CWF-OHF Funded RIM Riparian Buffer Program for FY 2012.
October 2011	BWSR Board review of program criteria.
November 2011	Complete ranking criteria. Specifically, Ecological Ranking Tool and RFP online worksheet.
December/January 2012	Conduct RFP with SWCD's to identify priority project areas for enrollment.
February 2012	Collect RFP; select SWCD's to conduct sign-up in project areas.
March/April 2012	Landowner application.
May 2012	Local prioritization and BWSR funding allocation.

NEW BUSINESS

1. Ag Wetlands – WCA/Swampbuster BWSR/NRCS Implementation Agreement – John Jaschke and Julie Blackburn – ***INFORMATION ITEM***



BOARD MEETING AGENDA ITEM

AGENDA ITEM TITLE: **Ag Wetlands - WCA/Swampbuster BWSR/NRCS Implementation Agreement**

Meeting Date: _____

Agenda Category: ☐ Committee Recommendation ☐ New Business ☐ Old Business

Item Type: ☐ Decision ☐ Discussion ☒ Information

Section/Region: _____

Contact: _____

Prepared by: John Jaschke

Reviewed by: _____ Committee(s)

Presented by: Julie Blackburn and John Jaschke

☐ Audio/Visual Equipment Needed for Agenda Item Presentation

Attachments: ☐ Resolution ☐ Order ☐ Map ☒ Other Supporting Information

Fiscal/Policy Impact

☐ None

☐ Amended Policy Requested

☐ New Policy Requested

☒ General Fund Budget

☐ Capital Budget

☐ Outdoor Heritage Fund Budget

☐ Clean Water Fund Budget

☐ Other: _____

ACTION REQUESTED

Information Item

SUMMARY (*Consider: history, reason for consideration now, alternatives evaluated, basis for recommendation*)

On September 21, 2011, the BWSR and the USDA-Natural Resources Conservation Service (NRCS) signed an agreement to coordinate the implementation of the Wetland Conservation Act (WCA) and the "Swampbuster" provisions of the Federal Farm bill. Work under this agreement has already begun. Successfully implementing this agreement will significantly improve consistency between WCA and Swampbuster, increase program efficiency, and provide better service to landowners. An overview will be provided as this endeavor is now being launched.

WCA and Swampbuster Coordination

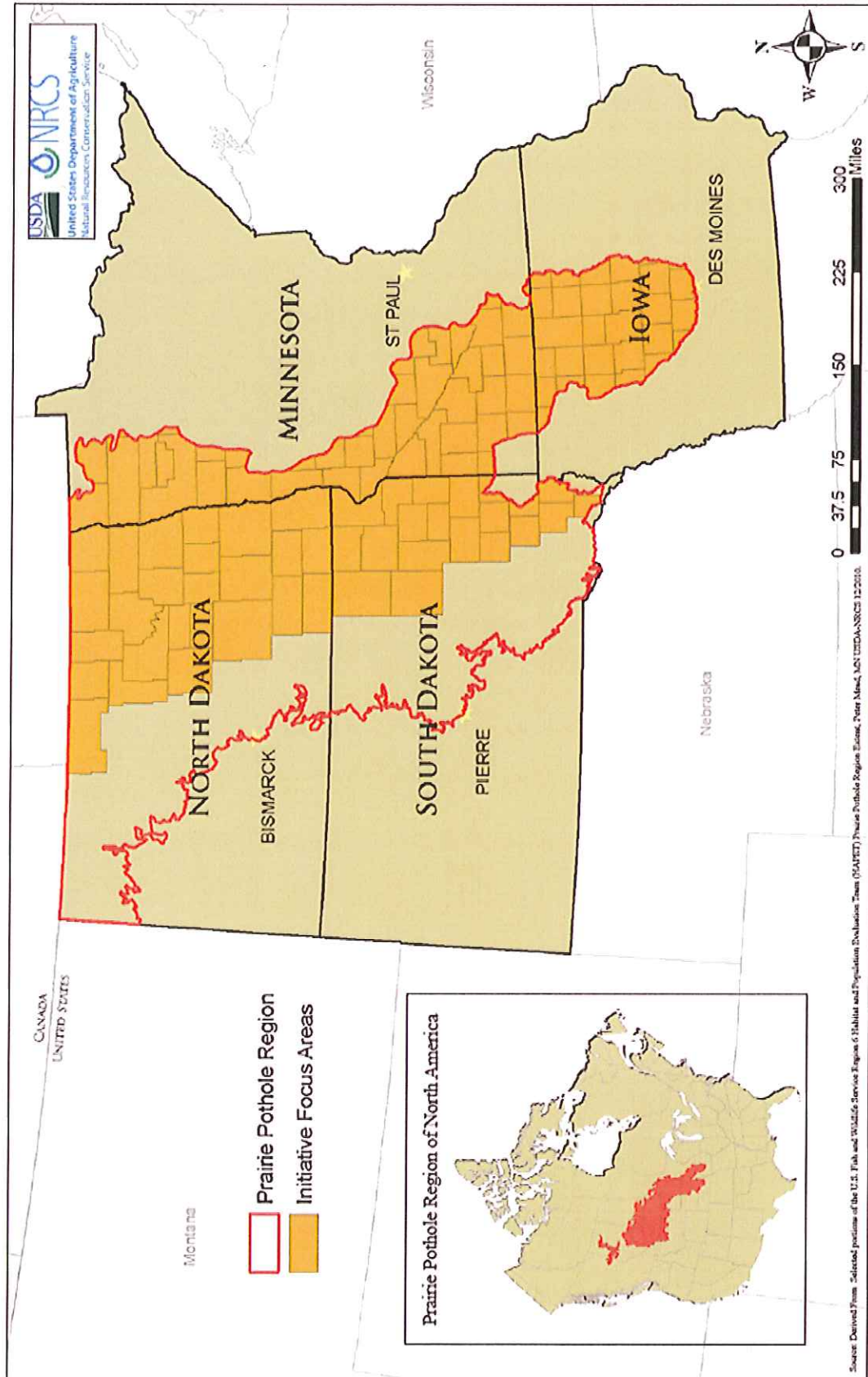
9-21-11 Contribution Agreement between NRCS and BWSR

In December of 2009, BWSR and the USDA Natural Resources Conservation Service signed a Memorandum of Understanding regarding implementation of the Wetland Conservation Act (WCA) and the "Swampbuster" provisions of the federal farm bill. The USDA North Central Wetland Conservation Initiative, a newly funded 4-state initiative aimed at reducing the backlog of certified wetland determinations in the prairie pothole region, provides an opportunity for improved program coordination through joint implementation of certain WCA and Swampbuster provisions. NRCS is currently working with SWCDs in the prairie pothole region of Minnesota to develop contribution agreements for assistance with certain aspects of Swampbuster. A similar process has been in place in Mower County for several years where it has worked well and serves as a working model for additional agreements.

BWSR will also play an important role in the implementation of this program. On September 21, consistent with the 2009 MOU and the goals of both agencies, BWSR and NRCS finalized an agreement defining BWSR's responsibilities and work-products through the end of calendar year 2012. BWSR's responsibilities under the contribution agreement with NRCS are summarized below.

- Wetland Determinations. BWSR will assist NRCS by providing certified wetland documentation for producers. The documentation provided will include information regarding the eligibility for certain WCA exemptions. BWSR will also assist with appeals of certified determinations.
- Consistency. BWSR will be responsible for overall quality control and oversight of SWCD staff performing work for NRCS under separate contribution agreements. This will include the periodic review of SWCD work-products and establishing a process for resolving potential violations of both programs.
- Mitigation. BWSR will work with NRCS to develop an interagency MOU for jointly acceptable wetland replacement standards and the operation of a single-use wetland bank for agricultural mitigation.
- Agricultural Wetland Banking. BWSR will manage the banking system and develop the appropriate forms, guidance, and procedures for joint use of the agricultural bank. Training and outreach will also be provided regarding banking procedures.
- Training. BWSR, through the Wetland Delineator Certification Program, will provide wetland delineation training for approximately 40 SWCD staff, including an opportunity for certification by WDCP. BWSR will also assist NRCS with other training sessions, drainage forums, and meetings relating to wetlands on agricultural lands.
- Technical Tools. BWSR will assist in the development of technical tools such as setback tables, wetland models, and the digital scanning of aerial imagery.

The total amount of funding provided by NRCS for this agreement is \$455,495. BWSR will contribute a minimum of 25% of the time and costs of completing each identified work-product. Work under the agreement has already begun. Successfully implementing this agreement will significantly improve consistency between WCA and Swampbuster, increase program efficiency, and provide better service to landowners.



State	Acres	Sq Miles	% Focus Area
Iowa	7,842,676	12,254	15
Minnesota	16,524,703	25,820	31
North Dakota	19,079,480	29,812	36
South Dakota	9,753,963	15,241	18
Total	53,200,823	83,126	100

North Central Wetland Conservation Initiative

Prairie Pothole Region Focus Areas

Total Focus Area Acres: 53,200,823 Acres / 83,126 Square Miles